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NEGRO SUFFRAGE.

Should the fourteenth and fifteenth amendments be repealed?

SPEECH

OF

HON. EDWARD DE V. MORRELL,
OF PENNSYLVANIA,

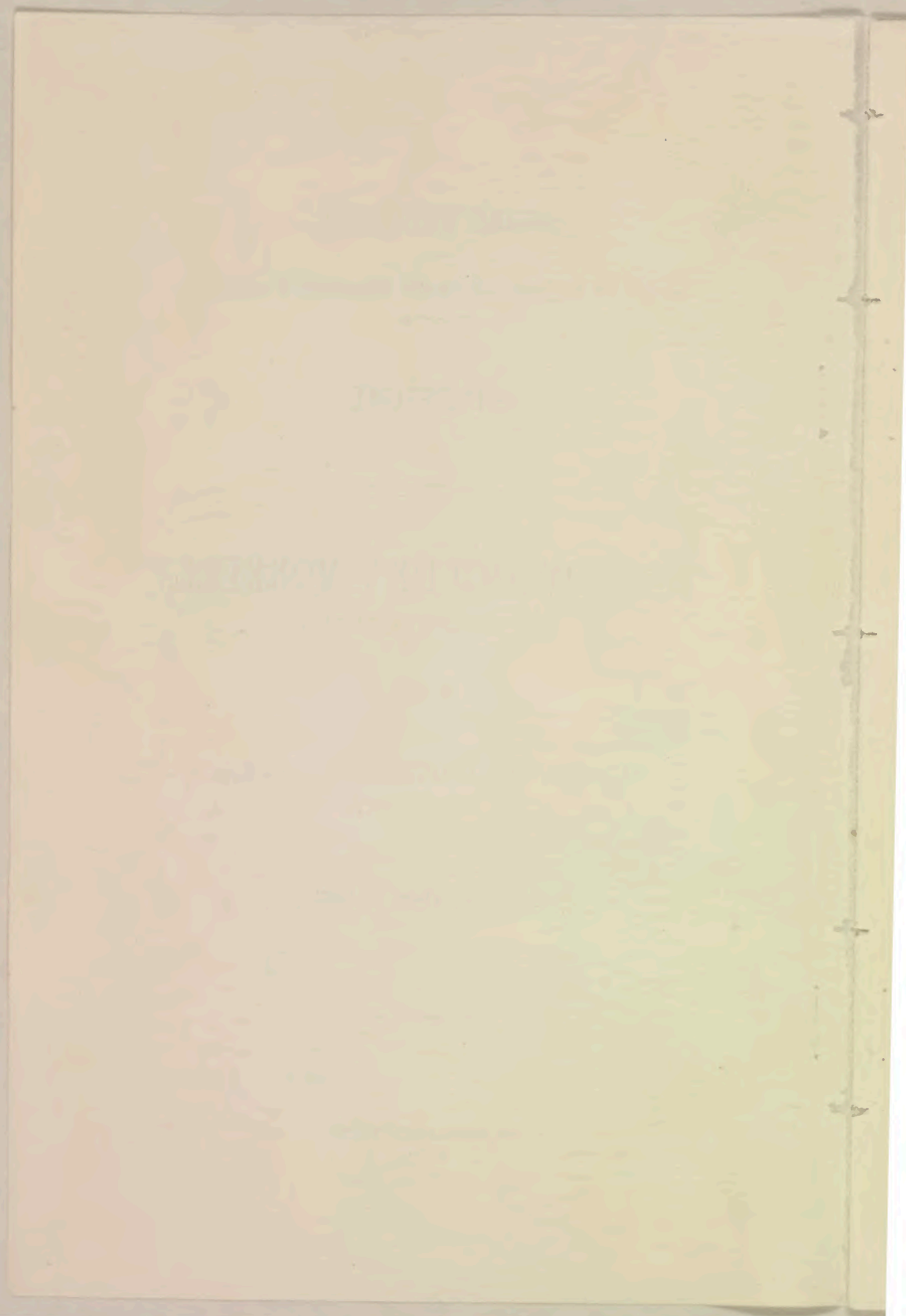
IN THE

HOUSE OF REPRESENTATIVES,

MONDAY, APRIL 4, 1904.

WASHINGTON.

1904.



SPEECH
OF
HON. EDWARD DE V. MORRELL.

The House being in Committee of the Whole House on the state of the Union, and having under consideration the bill (H. R. 13360) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1905, and for other purposes—

Mr. MORRELL said:

Mr. CHAIRMAN: On the 27th of January the gentleman from Georgia [Mr. HARDWICK], taking for his text two resolutions that had been adopted by the Union League Club, of New York City, delivered a somewhat unprovoked address in this House on what is commonly called "the negro question," a question touching the right of the negro to vote, which seems to be the legitimate bequest of the slavery discussion. The resolutions referred to are as follows:

Resolved, That the Government be requested to instruct the district attorneys in the various States where an illegal suppression of votes is alleged to prosecute every case where there has been a violation of the laws of the United States in reference to suffrage, if adequate evidence can be obtained to justify a submission of such case to the grand jury.

Resolved, (1) That Congress be requested and be respectfully urged to investigate with thoroughness and impartiality the charges of a suppression of votes contrary to the fourteenth and fifteenth amendments to the Constitution of the United States, and in every case where such restriction is accomplished by a limitation of the franchise for any reason the representation of such State in Congress be reduced, and also to see that the fifteenth amendment be in no way violated either directly or by subterfuge; and (2) that where the decisions of the courts or the practices at elections disclose the fact that the statutes are inadequate, amendatory acts be passed remedying the defects disclosed.

In the outset, Mr. Chairman, I wish to congratulate the Democracy upon having at last found a champion to voice boldly and unflinchingly the sentiments which the party has long cherished but has not had the hardihood to proclaim. The gentleman from Georgia states them courageously, and for that I honor him.

I have waited for those older and abler than myself to make some reply, but so far in vain.

I feel that if the time has arrived, which is suggested by the

remarks of the gentleman from Georgia, for a discussion of the so-called "negro question," it should be on the lines of cooperation between all the States of the Union, North and South, East and West, uniting in an earnest desire to solve, if possible, this great problem—a problem which ought not to any longer separate northern feeling from southern feeling, as it is one concerning which all States and all sections should strive, as in all other great national questions, for a wise solution, always, however, within the limits of the Constitution, which both North and South, East and West, equally claim and jealously guard.

In the gentleman's argument he has quoted, with a great deal of satisfaction to himself, from perhaps the ablest of American statesmen claiming the political faith of the Republican party—the Hon. James G. Blaine. The very conclusions which he has arrived at, and which he desires the House to accept by the resolutions which he and others have introduced, were presented some years ago for argument and discussion under the heading of "Ought the negro to be disfranchised? Ought he to have been enfranchised?" This discussion was engaged in by eight gentlemen—one, the Hon. James G. Blaine, who, as I have said, has been so often quoted by the gentleman from Georgia; the others, with the exception of General Garfield and Mr. Wendell Phillips, were gentlemen identified with the Democratic party and distinguished and influential in its councils at that time.

General Garfield was a Republican, afterwards President of the United States, and one who had taken an honorable and prominent part in all legislation respecting negro suffrage. Mr. Wendell Phillips was neither a Republican nor a Democrat, but always reserved to himself the right to criticise and condemn either party. The other gentlemen who engaged in this discussion were the Hon. L. Q. C. Lamar, United States Senator from Mississippi; Wade Hampton, governor of South Carolina; Alexander H. Stephens, Representative from Georgia; Montgomery Blair, a member of the Cabinet of President Lincoln, and Thomas A. Hendricks, United States Senator from Indiana, and subsequently Vice-President of the United States in the first Cleveland Administration.

In the concluding article Mr. Blaine says:

Of the replies made by the other gentlemen, identified as they have been and are with the Democratic party, it is noteworthy that, with the exception of Mr. Blair, they agree that the negro ought not to be disfranchised. As all of these gentlemen were hostile to the enfranchisement of the race, their present position must be taken as a step forward and as an attestation of the wisdom and courage of the Republican party at the time they were violently opposing its measures. This general expression leaves Mr. Blair to be treated as an exception, and for many of his averments the best answer is to be found in the suggestions and concessions of his Democratic associates. I need not make any elaborate reply to Mr. Blair, when he is answered with such significance and such point by those of his own political household. It is one of the curious developments of political history that a man who sat in the Cabinet of Abraham Lincoln and was present when emancipation was decreed should live to write a paper against the enfranchisement of the negro, when the vice-president of the rebel Confederacy and two of its most distinguished officers are taking the other side.

It will be noticed that in the argument of Mr. Blaine he does not suppose possible the existence of conditions that confront us to-day. He says:

The class of men whose views are thus hastily summarized do not contemplate the withdrawal of the suffrage from the negro without a corresponding reduction in the representation in Congress of the States where the negro is a large factor in the apportionment. And yet it is quite probable that they have not given thought to the difficulty, or rather the impossibility, of compassing that end. Under the Constitution, as it is now construed, the diminution of representative strength could only result from the States passing such laws as would disfranchise the negro by some educational or property test, as it is forbidden by the fifteenth amendment to disfranchise him on account of his race. But no Southern State will do this, and for two reasons: First, they will in no event consent to a reduction of representative strength, and, second, they could not make any disfranchisement of the negro that would not at the same time disfranchise an immense number of whites.

And yet the very thing has happened which Mr. Blaine in all his faith and reliance in the power and justice of the Republican party in meeting the issues believed would at once be corrected and what he also did not believe that the Democratic party of the South would attempt, fearing a reduction in representation which is emphasized by the resolutions of the gentleman from Georgia.

Further on he says:

No human right on this continent is more completely guaranteed than the right against disfranchisement on account of race, color, or previous condition of servitude, as embodied in the fifteenth amendment of the Constitution of the United States.

In the article contributed by Hon. Alexander H. Stephens, to demonstrate the purity of the enactment of the laws of his State, he laid great stress upon a decision which had just then been ren-

dered by Judge Snead, in which attention was called to the political debauchery and the purchasable character of the negro vote.

Now, let me read from some newspapers, published within the last two years in a certain county in the State which Mr. Stephens had the honor to represent, showing how now that the negro has been disqualified the purity of the ballot has been assured:

Eliminating the negro vote made a great stride forward in politics. Some men in considering the expensiveness of the white purchasable vote declare the white primary is a failure, but this is a superficial view.

Negro voters may have been cheaper, but we paid a great deal more than money for them. We gave a prominence to worthless negro vagabonds, and white ward workers were compelled for nights in advance of the election to be corralled with negroes in bullpens in doling out cigars and whisky, serving barbecues, and permitting familiarities in speech and action from insolent blacks, who took advantage of the need for their votes to push themselves into social equality.

The elimination of the negro vote has retired the negro bully and black-guard from the election precinct, and we are also freed from the sight of noisy and half-drunken negroes being driven in carriages from polls to polls to vote first in one name and then another. For this much let us give thanks.

But we have developed a new era. Many white men, who would not sell their votes under the old régime, along with the negroes, now barter them in the most brazen manner, and it is declared we now have nearly 2,000 purchasable white voters.

The elimination of this evil is the next thing to which the citizens must address themselves. There must be a sentiment created in the community against buying votes, as well as to condemn the sellers. One is as reprehensible as the other, and the former is largely responsible for the latter.

The best men in the community must devote themselves to the solution of this problem. The disease has grown to desperate proportions. There is no common sense and no morals in a candidate having to buy his way into office, or in an official having to spend two or three years' salary to retain his office.

This is a political blot on the county that must be wiped out. Let the best thought in the community be devoted to devising a practical remedy. In eliminating the negro we have taken a valuable step. Now let us take another and eliminate the possibility to 2,000 purchasable white voters, being the balance of power in all our elections.

There are a great many more dollars in circulation to-day than there were yesterday. Ten-dollar bills, five-dollar bills, but no small change, were strictly in evidence at every polling place yesterday. Politics may have a commercial taint, but there is no hypocrisy displayed. The coin is always on hand for buying voters and there is a large element ever ready to be purchased. It takes no delicate approaches to catch a floater, and the average floaters will barter like peddlers for a good price.

This morning the very first and most effective thing done at the different wards was to flash the pay roll. There seems to be no talisman like letting the floater get a "sight." It teaches him to be independent ever ready to be purchased. To stretch the language a trifle, "it makes him self-respecting."

In the Fourth Ward the display of ten-dollar Williams was lavish in the extreme. The Fourth Ward seems to be strongly tinctured with the "Republican spirit of commercialism," and the workers walked about with the ducats strung between their fingers just the same as a sport on the racetrack. The boys up in "bloody six hundred" are too honest to hide the fact that money is being used.

In order that Members of the House may have an opportunity of studying and comparing the views and conclusions of men who had taken the most prominent parts in bringing about a condition that they were at that time discussing, whose judgments and decisions were made after careful deliberation as to what might or what might not be the effect of a misstatement, I shall print as part of my remarks the arguments of these distinguished gentlemen.

These articles to which I refer were written some twenty-five years ago. It is therefore necessary to ask ourselves what the causes are, if any, which have brought about the necessity which is evidenced by the resolutions introduced by the gentleman from Georgia and the conclusions reached by him in his arguments.

By the introduction of his resolutions for the repeal of the fourteenth and fifteenth amendments the gentleman from Georgia admits the necessity of some action by Congress concerning these particular parts of the Constitution. The question at once arises, What is this necessity and what would be the effect if these amendments were not repealed? No other answer can be made except that their provisions are in danger of being enforced by Congress. What provision in these amendments is to be feared by the Representatives from certain Southern States who have introduced these resolutions? Surely not that which provides that the right of suffrage shall not be denied on account of race, color, or previous condition of servitude, for the manner in which these States have brought about the abridgment of the suffrage has been twice decided by the Supreme Court of the United States to be matters for State regulation. The only conclusion, therefore, which can be arrived at for the necessity for the repeal of the amendment referred to in the resolutions is the fear that the provisions which require that representation in Congress shall be reduced accordingly might be enforced.

I shall not follow the gentleman in his zig-zag journey through the last half century of American history, but shall admit as not at all relevant or important to this discussion the most of his historical citations. I shall frankly admit that most of the Northern States have at one time or another refused the ballot to the negro, and that there are only three or four States in the Union where the suffrage has always been extended to the negro. In several

Northern States, indeed, voting is still prohibited to the negro by their organic law, though in effect this law is now overridden and nullified by the fifteenth amendment. I also concede that a majority of the statesmen of the North before the rebellion were not in favor of interfering with slavery in the South or of extending negro suffrage in the North. Many of the most conspicuous, fearless, and effective abolitionists that this country ever saw, men in favor of universal emancipation, and effecting it whenever they could, regarding slavery as an unmixed evil, a curse to white and black alike, and to be abolished at the earliest practicable moment, were southern men. I need not mention such names as Washington, Jefferson, Richard Henry Lee, Grimke, Birney, Cassius M. Clay, and if we could call the roll a thousand brave and generous souls would answer.

Nor shall I claim Mr. Lincoln as an original antislavery man. When he was elected President he seemed to have been almost indifferent to the existence of slavery, and declared that he was willing to preserve the Union half slave and half free. He had no intention of meddling with slavery in the States where it existed, and did not wish to give the ballot to the negroes even in his own State. He wanted to save the Union. Nothing else was of any consequence. On these questions his views and purposes were shared by almost all the members of the party which elected him.

Many millions of our people assume, without thinking, that negro suffrage was forced upon the South by the fourteenth and fifteenth amendments as an act of hostility and in a spirit of revenge. The exact opposite is true. These amendments were added to the Constitution in the interest of harmony and for the purpose of perfecting the real purpose of the thirteenth amendment. Here is the state of things: Slavery had been abolished. The whites of the South could not conceive of the possibility that the free negro would work without physical compulsion. When it became known that President Johnson's purpose was to allow "the States lately in rebellion" to resume their former relations to the Union, with full control of their own affairs, the whites perceived that by municipal laws they could reduce the black race to semislavery, which would keep it industrially and politically in the power of the former masters. Several of the Southern

States adopted legislative statutes and civic ordinances for the purpose of carrying out this policy and realizing this reestablished relation of servitude. Louisiana adopted these ordinances:

Every negro is required to be in the regular service of some white person or former owner, who shall be responsible for the conduct of said negro; but said employer or former owner may permit said negro to hire his own time by special permission in writing, which permit shall not extend over seven days at one time.

No negro shall sell, barter, or exchange any article of merchandise without the special written permission of his employer.

Regulations were also adopted compelling negroes, under penalty, to be in their quarters at certain hours, and others defining the times, places, and methods of their buying and selling. This, of course, established a peonage scarcely less dear than the slavery from which they had escaped. It made their emancipation a mockery. It abolished free labor. It reestablished the overseer system. If these laws continued to exist, slavery was not abolished.

Mr. Lincoln has been quoted as saying that he was not in sympathy with giving the right of franchise to the negro. Let me ask if it is imagined that had Mr. Lincoln lived and realized that practically the only condition which was imposed by the victors of that most terrible of all terrible struggles—namely, the adoption in spirit as well as in fact of the thirteenth amendment—was not being carried out, and therefore the chief result of the war nullified, would he not have sanctioned and put into force the fourteenth and fifteenth amendments with all that dogged earnestness of purpose with which he waged the war for the preservation of the Union, even though it cost him as much or even more sorrow?

In this situation two alternatives presented themselves—indefinite or prolonged military rule by the Federal Army in the Southern States or the endowment of the black race with enough political power to insure their protection.

In this dilemma the ablest and most distinguished men in both Houses of Congress were gathered about President Johnson, including General Grant, his successor, and an earnest and prolonged conference was held. After much discussion it was decided that permanent military rule was too obnoxious to be seriously considered, and that remedy was rejected.

The majority of the Republican party did not consider the

enfranchisement of the negro an ideal solution of the vexing problem. But it seemed the best at hand, and was adopted as a great improvement upon anarchy.

If the army rule had been continued, with a regiment of Federal soldiers in every State, military rule would undoubtedly have produced, as it always does produce, enormous and terrible evils.

One of the ablest statesmen of that time, Carl Schurz, traveled through the South soon after the close of the war as the personal agent of President Andrew Johnson to study the conditions which reconstruction had to face. He says:

It is not to be forgotten that negro enfranchisement was resorted to in a situation so complicated that whatever might have been done to solve the most pressing problems would have appeared a colossal mistake in the light of subsequent developments.

On July 28, 1868, the Secretary of State, in pursuance of a concurrent resolution of Congress passed one week previously, issued a proclamation declaring that the fourteenth amendment had been ratified by three-fourths of the States; and on the 30th day of March, 1870, he issued a similar proclamation, declaring that the fifteenth amendment had been duly ratified by three-fourths of the States. The Supreme Court has decided a great number of cases arising under both these amendments, as may be seen by reference to the Constitution, Manual, and Digest prepared for the Fifty-eighth Congress. The validity of the amendments has been sustained in every one of these cases. It is now too late to question their validity or disobey their mandates. Indeed, I do not think their validity was ever questioned in this House until the 27th of January, 1904, when the gentleman from Georgia consented to illuminate the subject.

It is attempted to apologize for the violation by some of the Southern States of these amendments, or at least to minimize their offense against human rights, by asserting that some Northern States, as Ohio, Kansas, and Minnesota, rejected negro suffrage for themselves during the very year that the fifteenth amendment was adopted, and that no State in the Union except New York had ever explicitly extended to the negro the right to vote. This is indeed true, but it is to be added that since the adoption of the fifteenth amendment they have never denied to him the right to vote on account of color.

Notwithstanding the immense majority in Congress and of

States by which these amendments were ratified, the gentleman from Georgia has the assurance to say:

The fourteenth and fifteenth amendments were adopted, if adopted at all, against the will of a majority of all the people in the Union, by trickery and treachery in the North and by force and violence in the South.

He announces that awful things will happen if the United States shall have the temerity to attempt to enforce these amendments. It will cause a cyclone, a hurricane, possibly an earthquake. The fourteenth amendment provides that when the right to vote for President, Representatives in Congress, or State officers is denied to citizens of the United States "except for participation in rebellion or other crimes, the basis of representation therein shall be reduced in the proportion which the number of such male citizens bears to the whole number of male citizens 21 years of age in said State."

And here the gentleman from Georgia raises his voice and exclaims:

If Congress should be unwise enough to elect to exercise the discretionary power vested in it by section 5 of Article XIV, it will not only be the most serious strain of the present cordial relations so happily existing between the sections, but it will require a readjustment of the basis of representation that will not start at the Potomac and at Rio Grande, but will stretch from Hatteras to the Golden Gate, from Maine to Florida, and will embrace in its majestic sweep every State and Territory in the Union and even our new islands of the sea.

By this comprehensive menace the gentleman from Georgia means that under section 2, Article XIV, it is prescribed that when the right to vote "is denied to any of the male inhabitants" of any State who are "21 years of age and citizens of the United States, or in any way abridged, except for participation in rebellion or for other crimes," the basis of representation in that State shall be reduced accordingly.

I admit the contention. That is what it means. He further claims that several of the Northern States do in fact at the present time abridge the franchise of citizens of the United States who are 21 years old by requiring educational or property qualifications, or prepayment of taxes, or a specific religious belief, or nativity in the United States, or the use of the Australian ballot, requiring a certain degree of intelligence; and he insists that the basis of representation shall be reduced accordingly in said States. I shall not enter upon that discussion. It is a question for the

Federal courts. If after due consideration they shall deliberately decide and declare that such limitations of the franchise do in fact come within the purport of that amendment, the people of the States which for the promotion of the public welfare have placed such limitations upon the franchise will accept the decision without a murmur and modify their basis of apportionment according thereto.

Of the 9,000,000 so-called negroes in the United States, 8,000,000 are in the fifteen Southern States. Of males 21 years of age the negroes number about 2,000,000 in this nation. The gentleman from Georgia alleges that "of the more than a million and a half negro males of voting age" in the eleven States that once constituted the Southern Confederacy "three-fourths of a million can neither read nor write."

I would ask him if he is proud of this record; if he experiences self-satisfaction in the reflection and the declaration that a majority of the negroes of the South can neither read nor write. He says that the illiteracy of the southern negro has been rapidly reduced since he was made free; that negro illiteracy in those States was 77 per cent in 1880, 63 per cent in 1890, and 49 per cent in 1900—in other words, that more than one-half the negroes of the South can now read and write, and that the number who can read and write to-day is 50 per cent greater than it was when Lincoln issued his emancipation proclamation.

This would seem to be a marvelously good showing, but it is argued otherwise. It is insisted that while the southern negro is more intelligent, he is more wicked and pernicious. Or, in the language of the gentleman, "During this same period his criminality increased in more rapid ratio than his illiteracy decreased." This he tries to prove by adducing the alleged fact that the number of negroes arrested in the South has increased one-third during the last twenty years. On arriving at this datum my friend exclaims: "There you are; there are more prisoners than there used to be; ergo, more crime." He seems to think that settles the question. I want to ask: Does it settle the question? Let us see. In "old slavery times" there were very few negroes arrested in the entire South. If a negro "went bad," he was flogged or subjected to some physical remonstrance, which he appreciated and which was continued until he went good again.

So there were almost no arrests. After the war the negroes became subject to the statute law, but the planter was still to some extent the patriarch and had his own methods of restraining the vicious and lawless. When the ballot was given to the negro by the fifteenth amendment and the reconstruction measures were enforced, it caused tremendous irritation and exasperation between the races. The bitter hostilities then engendered still exist, and, I might suggest, have something to do with the increase in the number of negro prisoners.

While it is undeniably the right of each State to care for its criminal population as it deems most advisable, yet I venture the opinion that if the various jails and penitentiaries in some of the Southern States were conducted in a manner which would not bring the inmates into social contact with one another, so that one imprisoned for a trifling offense would not be brought in contact and contaminated by the habitual or confirmed criminal, and if such institutions were conducted at an expense to the State rather than at a substantial profit it is but reasonable to suppose that crime in the South would show a marked decrease.

Professor Frances Kellor, of the University of Chicago, in a sociological study of the criminal negro (in the *Arena*, January, 1901), says:

Before the war the South had but few penal institutions. The criminal then, as now, was the negro; and, as a slave, he was chastised or dispatched by his master as the nature of his crime demanded. The few whites were confined in jails or county prisons. The previous condition of the negro as a slave makes the progress of the reformatory idea exceedingly slow, for it must grow with the conception of the negro as a man.

The current opinion in the South is that the negro is incapable of reform. In Alabama and Georgia county reformatories are being established, and New Orleans is struggling to obtain one. In those already existing much labor and little instruction are the practice.

Most of the advancement seen in Northern penal systems and laws is unknown. Many of the people are hostile to the reformatory idea, for the basis of the southern system is financial. A successful prison administration is judged by the amount of net revenue in the State. There are no southern organizations for the study of criminality and no State bureaus of charity. In fact, one State often does not know the systems of its neighbor. These conditions are fatal to the application of any scientific measures and preclude the study of the causes of crime. So long as a State's criminals bring it a net revenue of from \$30,000 to \$150,000 a year it is difficult to introduce methods leading to reform and to decrease of crime.

Let me ask what is bringing about this ratio of increase in crime?

First. To my mind, it is the methods employed in the punishment of crime.

Second. The dawning realization that the white man intends by indirection to annul the civil rights guaranteed the negro by the fourteenth and fifteenth amendments.

Third. The cruel limitation realized by the colored man who has been educated or who has educated himself, when he realizes that notwithstanding his intellectual qualities, no matter how great or how superior to those of his neighbors, his color compels him forever to herd with the lowest of his people.

Is it fair through education and the consequent knowledge of the rights guaranteed under the Constitution as it stands to-day to raise up and give the colored man, like the children of Israel, a glimpse of the promised land—civil rights—only to drag him back into a position of hopelessness?

If the negroes are going back as a result of education, so are we. What example, may I ask, do we give of civilized methods as the result of over two thousand years of education and consequent supposed refinement? We institute the stockade principle, where a man is worse than a slave; we prevent him by intimidation from exercising the civil rights which we know belong to him under the instrument which made us what we are. When a crime is committed we follow him like a wild beast, with dogs. When captured we burn him alive, like the Indians did their captives during the early days of this country, and at the same time we are admitting the Indians to citizenship.

Professor Frances Kellor, in an article on the criminal negro, says:

The statement is often seen that crime has increased among the negroes since the war. That is a matter of no surprise, because increased freedom of an ignorant people invariably means increased violations of law. In the second place, acts sanctioned in slavery, as adultery and small thefts, were not then considered as crimes. Third, there were no records kept before the war, so no close comparisons are possible. Fourth, since the freeing of the negro penalties for certain crimes have been increased. There are no agencies in the South for reforming criminals, and wayward children are not protected as in the North. For these reasons increase of crime does not mean deterioration of the race, but it is one phase of its attempt to meet new conditions and external forces. In the North crime is increasing among the negroes, but there also they are meeting a most complex and advanced civilization, for which they have but a slight preparation.

A more exhaustive study of criminality, carried out along lines some of which have been indicated in the preceding articles, would tend to lead to conclusions having this import:

1. Climate, soil, food, and economic and social conditions are essential elements in any study of criminality, and by "social conditions" are meant all environmental factors. Until these influences are estimated and measures

are based upon the recognition of them, no great reduction in the amount of crime can be anticipated. With reference to these the negro is more disadvantageously placed than is any other class in America.

2. The laws and penal institutions in the South are not conducted with a view to decreasing crime, but to care for the prisoner and secure revenue. Preventive measures, especially with reference to children, are just finding a place. Experience has shown that the institutional system is of great importance in both prevention and reformation.

3. The measurements and tests made upon a limited number do not reveal physical and mental conditions that should discourage efforts in education and development.

4. The environments in the South are favorable to the commission of crime by negroes. It is impossible to estimate the persistency of racial traits or of the limitations, mental or physical, imposed by racial development, until a parallel environment is removed; that is, the environment must be shown to be of such a nature that it offers every opportunity for development and improvement. In no phase of negroes' life, domestic, social, industrial, political, or religious, does this appear to be the case.

Even if, as it is assumed, crime has increased among the negroes, why should education be blamed for this? Surely this is an unfair conclusion. I think everyone will admit that education has been of benefit to a great many negroes. If, on the other hand, some have not profited by the education that they have received, is it fair that we should say that the education of the negro is a mistake and deprive all negroes of education?

On the 12th of last February, at a meeting in New York, the question of negro industrial education and its bearing on the race problem was discussed. Andrew Carnegie presided. President Eliot, of Harvard, was among the speakers. Ex-President Grover Cleveland, who has some standing in this country, though he is not believed in by the latter-day Democracy, sent a letter, in which he said:

I am so completely convinced of the importance of this cause, as it is related to the solution of a problem no patriotic citizen should neglect, that I look upon every attempt to stimulate popular interest and activity in its behalf as a duty of citizenship.

Booker T. Washington, whom the gentleman from Georgia would disfranchise because of his color, was the leading speaker at this convocation of great men. I quote from his speech a few paragraphs which were not, but might have been, spoken in reply to the gentleman from Georgia:

After making careful inquiry I can not find a half a dozen cases of a man or woman who has completed a full course of education in any of our reputable institutions like Hampton, Tuskegee, Fiske, or Atlanta, who are imprisoned. The records of the South show that 90 per cent of the colored people imprisoned are without knowledge of trades and 61 per cent are illiterate.

But it has been said that the negro proves economically valueless in pro-

portion as he is educated. Let us see. All will agree that the negro in Virginia, for example, began life forty years ago in complete poverty, scarcely owning clothing or a day's food. The reports of the State auditor show the negro to-day owns at least one twenty-sixth of the real estate in that Commonwealth exclusive of his holdings in towns and cities, and that in the counties east of the Blue Ridge Mountains he owns one-sixteenth. In Middlesex County he owns one-sixth; in Hanover, one-fourth. In Georgia the official records show that, largely through the influence of educated men and women from Atlanta schools and others, the negroes added last year \$1,526,000 to their taxable property, making the total amount upon which they pay taxes in that State alone \$16,700,000.

Few people realize under the most difficult and trying circumstances, during the last forty years, it has been the educated negro who counseled patience, self-control, and thus averted a war of races. Every negro going out of our institutions properly educated becomes a link in the chain that shall forever bind the two races together in all essentials of life.

Thomas Nelson Page, who has made a deep study of the negro problem, says:

It is from the educated negro, that is, the negro who is more enlightened than the general body of his race, that order must come. The ignorance, venality, and superstition of the average negro are dangerous to us. Education will divide them and uplift them.

If it is true that, as a distinguished southern statesman has remarked, "A smart nigger is a bad nigger," we must change all our opinions of the value of an education. For such a conclusion would involve whites as deeply as blacks. If education tends to depravity, debauchery, and an increase of criminality, then we have too many schools, too many colleges, too many books, too many newspapers, and, for that matter, too many educated Members of Congress.

It is not alone in the Southern States that the negro is unfairly treated in the enforcement of law; it is also true that in the Northern States courts and juries are often his enemies, always ready to exaggerate his faults and ignore his virtues.

The negro, especially the ambitious and aspiring negro, is treated very much as the Jew is treated by the ignorant peasantry of Russia. Everywhere prejudice tracks him and defeats him; everywhere he is more or less looked upon as necessarily an inferior and is discriminated against in many of the walks of life.

The Rev. Edgar G. Murphy, secretary of the Southern Society, which holds a conference on race problems at Montgomery, Ala., in May, in a recent address delivered in Philadelphia, said:

The general problem of the negro's legal rights, his rights before the southern jury and before the average court, presents our subject, however, under one of its darkest aspects. It is hard for the negro to get justice. The evil is not easy of remedy, but southern men are working upon it, and

southern men themselves will right it, in so far as it can be righted. I need hardly tell you that this evil is not peculiar to the South. As Prof. W. F. Wilcox, of Cornell, chief statistician in the Census Office and a northern man, has indicated in a recent paper upon negro criminality, there are more convictions of negroes for crime at the North, in proportion to the number of the negro population, than at the South. The result is due, I think, not only to the negro's weaknesses, but to the popular prejudice everywhere against an inferior race.

A short time ago a distinguished statesman of the other House declared that there was more crime in New England in proportion to the population than in his own State, and he proved it to his satisfaction by showing that there were more jails and State prisons. In the same way, doubtless, he would prove that New York furnishes a larger proportion of lunatics than his own State because it builds more lunatic asylums. In the same way he would prove that the people of Massachusetts are more illiterate than the people of Georgia by showing that the people of Massachusetts had the most schoolhouses.

I am not one of those who believe that the negro race, any more than any other race, can be taken up bodily as it were and put upon a plane of high civilization and usefulness. It must depend absolutely upon the individual negro, as it depends upon the individual Anglo-Saxon, or those of other extraction, as to whether they will rise and become capable of assuming a place in the affairs of men rather than remain in oblivion.

Governor Vardaman, of Mississippi, made a crusade through the North in opposition to negro education. Here is a choice sample of his refined, classic style:

I am opposed to the nigger's voting, it matters not what his advertised moral and mental qualifications may be. I am just as much opposed to Booker Washington, with all his Anglo-Saxon reenforcement, voting, as I am to voting by the cocoanut-headed, chocolate-colored typical little coon, Andy Dotson, who blacks my shoes every morning. Neither one is fit to perform the supreme functions of citizenship.

While I admire the ability lately shown by the distinguished governor to uphold the majesty of the law in his State, yet I might suggest that this elegant quotation does not demonstrate a vast superiority over the gentleman referred to in the quotation.

The same distinguished governor, however, is at least consistent, for, having conducted his campaign upon the platform of ceasing to educate the negro, he has during the past few days vetoed a bill carrying an appropriation for a negro school. We have

here what might be likened to a very elementary problem. A certain State does not disfranchise the negro on account of his color, but simply imposes an educational test, which of course requires that for a negro to vote he shall have the necessary education. To obtain this education he must go to school. Suppose that all the bills carrying the negro-school appropriations are vetoed, then we have "no school funds;" therefore no schools, no opportunity for learning; therefore, illiteracy, or *quod erat demonstrandum*—disfranchisement.

Mr. Chairman, if I were a Southerner born and bred, and felt toward the negro as Governor Vardaman and the gentleman from Georgia feel, I would be in favor of sacrificing some of the representation of my State in Congress to achieve my purpose honestly. I would agree with Governor Hampton when he said that to get the negro out of politics he would gladly give up the representation based on his vote.

A question has been raised as to a possible social equality between the white and the black races. In answer to that I can not do better than quote from the best exponent of the best thought and education among the negro race in this country, Booker T. Washington, who says:

In all things social as separate as the fingers, yet one as the hand in all things essential to mutual progress.

To begin with, social equality no more exists in this country, either in the North or the South, among whites than it does in any other country. The man himself, or the woman herself, is the judge of his or her equal.

Social equality has nothing whatever to do with civil rights. It is a thing separate and apart, and therefore nothing to do with this question.

The corner stone upon which the democratic institutions of this country are founded, the hope of all Americans, whether they be native born or naturalized, white or black, is based and exemplified in the general principle enunciated by President Roosevelt when he declared:

I do not intend to appoint any unfit man to office. So far as I legitimately can I shall always endeavor to pay regard to the wishes and feelings of the people of each locality, but I can not consent to take the position that the door of hope, the door of opportunity, is to be shut upon any man, no matter how worthy, purely upon the grounds of race or color. Such an attitude would, according to my convictions, be fundamentally wrong.

And he then proceeds:

If, as you hold, the great bulk of the colored people are not yet fit in point of character and influence to hold such positions, it seems to me that it is worth while putting a premium upon the effort among them to achieve the character and standing which will fit them.

No fair-minded man can help but admire the frankness of the President when he asserts in no uncertain language that it is a good thing to make the negro realize that if he shows in marked degree the qualities of good citizenship he can look forward to and hope for recognition.

Again, I say if the statistics quoted by the gentleman are correct, then there must be as much radically wrong with the method of education employed as there is with the opportunities given them of exercising the rights guaranteed to them under the fourteenth and fifteenth amendments. Personally I do not believe in higher education for whites or blacks, except where exceptional cases are found. I think that the three R's—"reading, 'riting, and 'rithmetic"—as the old schoolmaster used to say, together with geography, United States history, and a good manual training, would make us a stronger nation. Instead of the compulsory military service in vogue in European powers, I should like to see tried a compulsory trade service.

I heartily agree with Professor N. Southgate Shaler, of Harvard University, that it is not to be denied that the task of developing the latent powers of the negro race, which, in his opinion, are far greater than is generally believed, is very serious. He says:

It means a certain amount of technical education of a very great number of the children of ten million people. * * *

Yet this need not affright us, for we may be sure that this, like all other well-directed education, will be a very good investment of public money, for it will bear fruit in money as well as other values. Every black man, otherwise to be a mere plodding laborer, who by such training is lifted to the grade of a skilled artisan, will have his value to the State increased several fold. His annual earnings as a "field hand" will not exceed \$150; as a skilled blacksmith, carpenter, or machinist, they should be at least \$400, and in something like this measure his value will be advanced by his training.

The negro must not imagine that simply because he is a negro those who would befriend him among the whites will step in and protect him if he commits a crime. On the other hand, the whites must not impose unjust restrictions, unjust laws, and unjust sentences upon the negro simply because he is a negro. To do so is

undemocratic, un-American, and in direct opposition to the principles upon which this Government was founded and opposed to the welcome which we have extended to the oppressed of all nations.

In the struggle which faces their race negroes should regard any one of their color who commits a crime not only an offender against the law, but an enemy of his own people, and instead of ranging themselves on the side of the offender do all in their power to aid justice.

To lessen the steady growth of lynching, which has so increased in frequency as to be appalling to the farsighted, sober-thinking members of the community, I would suggest that the remedy advocated by Justice Brewer, of the Supreme Court of the United States, of doing away with the right of appeal in criminal cases be at once adopted by all the States. The distinguished justice says:

What can be done to stay this epidemic of lynching? One thing is the establishment of a greater confidence in the summary and certain punishment of the criminal. Men are afraid of law's delays and the uncertainty of its results. Not that they doubt the integrity of the judges, but they know that the law abounds with technical rules, and that appellate courts will often reverse a judgment of conviction for a disregard of such rules, notwithstanding a full belief in the guilt of the accused. If all were certain that the guilty ones would be promptly tried and punished, the inducement to lynch would be largely taken away.

In an address which I delivered before the American Bar Association at Detroit some years since I advocated doing away with appeals in criminal cases. It did not meet the favor of the association, but I still believe in its wisdom. For nearly a hundred years there was no appeal from the judgment of conviction of criminal cases in our Federal courts and no review except in a few cases, in which, two judges sitting, a conference of opinion on a question of law was certified to the Supreme Court.

In England the rule has been that there was no appeal in criminal cases, although a question of doubt might be reserved by the presiding judge for the consideration of his brethren. E. J. Phelps, who was minister to England during Mr. Cleveland's first Administration, once told me that while he was there only two cases were so reserved. Does anyone doubt that justice was fully administered by the English courts?

It is said in extenuation of lynching in case of rape that it is an additional cruelty to the unfortunate victim to compel her to go upon the witness stand and, in the presence of a mixed audience, tell the story of her wrongs, especially when she may be subject to cross-examination by an overzealous counsel. I do not belittle this matter, but it must be remembered that often the unfortunate victim never lives to tell the story of her wrongs; and if she does survive she must tell it to some, and the whole community knows the fact. Even in the court room any high-minded judge will stay counsel from any unnecessary cross-examination, and finally, if any lawyer should attempt it, the community may treat him as an outcast.

I can but think that if the community felt that the criminal would certainly receive the punishment he deserves, and receive it soon, the eager-

ness for lynching would disappear and mobs, whose gatherings too often mean not merely the destruction of jails and other property, but also the loss of innocent lives, would greatly diminish in number.

One thing is certain, the tendency to lynching is to undermine the respect for the law, and unless it be checked we need not be astonished if it be resorted to for all kinds of offenses, and oftentimes innocent men suffer for wrongs committed by others.

Our duty toward the negro race would seem to me to be one of encouragement and protection—encouraging those who, having made the effort, have achieved success in spite of the difficulties under which they necessarily labored. owing to the natural limitations of a race scarcely three hundred years from savagery; protecting those who, having less ability, are not given an opportunity or perhaps are not as fortunate as their fellows. We should not forget that it was through the labor of these people that many of what were the richest States in this country were raised from their original primeval wilderness and made to blossom like a rose.

The negro race on its side should realize what has been done for it—no matter what its sufferings during slavery—in having received in less than three hundred years a civilization which it has taken other races ages to acquire. The race must realize its own weaknesses and its own shortcomings consequent upon the comparatively few years which it has enjoyed civilization. It must realize that the whites are as necessary to the negro race as the negro race in certain States is necessary to the white. The negroes should not imagine and harbor fancied wrongs, and those among them who are gifted with good sense and sober judgment should exercise their best efforts to wipe out such a spirit, and, particularly in success, set an example of modest, conservative behavior. The negro race should also remember that the war which made them free caused untold suffering and in some cases made poor those to whom, although they were their slaves, they owe the civilization which they now possess.

Compare the colored people, whom it is quietly proposed to disfranchise, with certain classes of foreigners who come to our shores, ignorant of our laws, ignorant of our language, ignorant of our institutions, who are eagerly naturalized sometimes even before the legal qualifications have been quasi conformed to.

Let me refer the House to a carefully prepared list of the property interests of those affected by the amendments the gentleman would annul, which I shall print; and in this connection let me

suggest another thought. By repealing the fourteenth and fifteenth amendments, at once all the negroes in the United States would be disfranchised. Of all the farms at the present time in the United States, according to the census of 1900, 13 per cent are owned or operated by negro farmers, and according to Mr. Talcott Williams, editor of the Philadelphia Press, the amount of property now owned by the negroes in this country amounts to almost \$500,000,000.

Now, by the resolutions introduced by the gentleman from Georgia and others, it is proposed to disfranchise all the owners of this property. I would like to ask what were the causes which led up to the Declaration of Independence; what it was that our forefathers fought for during 1776? Let me suggest that the initial cause for which we fought was that there should be "no taxation without representation," and there can be no representation without the right to exercise the franchise. Direct representation of those governed in the governing body is the keystone of our democratic institutions. If our Government is not a representative government it is nothing.

I can not agree with those who advance the argument that the South should be left to solve the negro problem, for the reason that when States enact legislation affecting the political status of large numbers of its citizens of voting age the result of such legislation is national in its effect, and, therefore, must at once become the object of concern to all sections of the country.

One word in regard to the fourteenth amendment. In the fourteenth amendment the very use of the word "shall," in prescribing the results to happen when certain conditions arose, leaves no discretion to Congress. It is absolutely mandatory upon Congress to take the course prescribed.

It has been urged that some Northern States have restrictions on the suffrage. The object of the Crumpacker resolution is to have a full and fair investigation of the election laws of all the States, for the purpose of ascertaining to what extent manhood citizenship has been disfranchised. If the result of the investigation should be such as to justify it, the purpose is to urge a reduction of the representation of the disfranchising States in accordance with the requirements of the Constitution.

If, after this investigation, it is discovered that these other

States restrict the franchise contrary to the Constitution, then their representation would have to be reduced accordingly. Why this dread of such an investigation? If what is urged is true, the Northern States may be as seriously affected as the Southern States. I have not heard a protest against such an investigation from the gentleman from Connecticut, for instance, or from the gentleman from Ohio, or from members of the Pennsylvania delegation.

In the beginning of my remarks I said that I would endeavor to find, if any existed, the reasons why what was declared in 1879 by the leaders of both parties best qualified to judge ought to have been done and ought to be maintained in relation to the franchise should now be changed.

After this review of the subject the only reason which I can find for the introduction of the resolutions of my friend from Georgia is that certain States have done through legislative enactment that which the statesmen of the days of '79 did not in their wildest dreams imagine would be done, and that they now dread the results which the statesmen of both parties of those days declared would inevitably follow—namely, reduction of representation.

I feel that this is not a party question, but one which concerns the integrity of the Constitution itself. It has been suggested that the State of Pennsylvania, like some others of the Northern States, imposes restrictions upon the franchise. I for one do not propose to remain silent and inactive under the imputation, which must necessarily follow, that the Pennsylvania delegation ought to be reduced and that some of the delegation as it now stands are occupying seats in this Chamber contrary to the direct mandates of the Constitution of the United States.

As I remember, the gentlemen representing their several States, like myself, on the 9th day of November, when the name of the State which they represented was called, left their seats, went down and ranged themselves before the bar of the House, raised their right hand and gave solemn, audible assent to the oath of office which was read by the distinguished Speaker of the House.

Surely, gentlemen, we all realize the sacred character of an oath; surely we realize that when with uplifted hand we call

upon God to witness, we intended to convey that we subscribe absolutely and entirely to what we swear to. However, we either failed to appreciate the solemnity of the oath and all it contained, or else we must have satisfied our consciences by making a mental reservation in regard to the fourteenth and fifteenth amendments of that Constitution which we swore to uphold; otherwise the resolutions introduced by several of the gentlemen on the other side of the Chamber, and the necessity for which has been so eloquently defended by the gentleman from Georgia, would not be necessary.

By the introduction of these various resolutions for the repeal of the fourteenth and fifteenth amendments we are asked to wipe out that part of the Constitution which cost the country in life, suffering, and treasure a thousandfold more than was suffered by those who framed and fought for the original instrument.

According to an official estimate which I have just received from the Record and Pension Office, 2,200,000 northern and southern men were enlisted in all the different branches of the service during the civil war—a number almost incredible when we stop for a moment to think about it. Of these, 359,200 actually died in the field—an army almost double the size of that at present sent to the front by Japan and larger by 50,000 than the army with which the Czar of Russia expects to crush the power of the Mikado.

The struggle which these vast armies of men engaged in for four long years resulted in what? The very changes in the Constitution which, together with the thirteenth amendment, it is now quietly proposed to annul. Would not we, as legislators, both those on this side of the Chamber and those on the other, particularly the gentlemen who gave their personal services during that great struggle, find ourselves in the position of the young Napoleon on the battlefield of Wagram, in the play of L'Aiglon, when he seemed to hear the groans and cries of those who had fallen in the long fierce Napoleonic wars? Would not we from Pennsylvania, who sent 340,000 men to the front, and would not those from South Carolina, who sent almost an equal number; would not the Representatives from New York, who sent almost 450,000; would not the Representatives from Ohio, Illinois, Indiana, North

Carolina, Georgia, Mississippi, and other States, all hear and be pursued with the groans and cries of their proportion of dead, culminating in one great outburst of "Why did we fight? Why have we died?" If the one great initial result of what was sacrificed and suffered is so easily to be undone?

APPENDIX.

STATISTICS AS TO NEGRO FARMERS.

The census of 1900 contains abundant and indisputable evidence of the great progress in material prosperity by the negro agriculturists during the past few years. The act of Congress providing for the previous census—the census of 1890—directed that statistics concerning the negro farmers should be included in the enumeration at that time. Accordingly reports on that subject were collected in the field; but, unfortunately, for some reason not stated, they were not tabulated and published. Therefore there is no record on the subject prior to 1900 with which a comparison could be instituted showing the exact measure of the progress of the negro farmers during the last decade of the nineteenth century. The figures of the Twelfth Census, however, afford proof enough, without comparisons, of the gratifying growth of the negro race in the United States in the important line of agricultural industry.

The actual number of negro farmers in the United States is not given in the census, but the number of farms owned or operated by negroes is given; and as in almost all cases the farm is owned or leased by a single individual, the number of negro farmers in the country may be assumed to be nearly the same as the number of farms run by negroes.

The number of farms in the United States operated by negro farmers, according to the census of 1900, was, in June of that year, 746,717, or 13 per cent of the whole number. In the Southern States the percentage was much greater, and naturally it is in those States that the great majority of negro farmers reside and operate. In fact, the negro forms such a small proportion of the agriculturist element in the North and West that it is hardly worth while to dwell upon the statistics for that part of the country.

Turning to the South, we find the number of farms operated by negroes, as compared with the whole number of farms, and the percentages, to be as follows:

State.	Whole number of farms.	Operated by negroes.	Percentage of negro farms.
Virginia	167,886	44,795	26.7
North Carolina	224,637	53,006	24.3
South Carolina	155,355	85,381	55.0
Georgia	224,691	82,822	36.9
Florida	40,814	13,521	33.1
Alabama	223,220	94,009	42.1
Mississippi	220,803	128,351	58.2
Louisiana	115,909	58,006	50.1
Texas	252,190	65,472	18.5
Arkansas	178,694	46,978	26.3

Thus it is seen that in these ten Southern States, constituting the old Southern Confederacy, the percentage of negro farmers and farms in 1900 was about 37, and that in three of those States the negro farmers actually constituted more than one-half the total number of farmers.

It may be noticed, in passing, that of the negro farms of the United States 70.5 per cent are cotton farms, while 6.9 per cent are hay and grain farms, 4.1 per cent live-stock farms, and 2.6 per cent tobacco farms.

No other race in the United States has so large a proportion of its farmers devoted to a single staple as is the case with the negroes in reference to cotton.

In the North Atlantic States negro farmers operated in 1900 only 0.3 per cent of all farms; in the North Central States, 0.6 per cent; and in the far Western, only 0.2 per cent.

Of the farms deriving their principal income from cotton, 49.1 per cent, or very nearly one-half, are operated by negroes; of the rice farms, 37.3 per cent, and of the sugar farms, 14.8 per cent.

If now we consider the values of the products of the negro farms of the United States (exclusive of the products fed to live stock), we find that 34.1 per cent of these farms realized between \$250 and \$500 worth of such products in 1899; 33.1 per cent realized between \$100 and \$250; 12.8 per cent realized between \$500 and \$1,000, and 9.8 per cent realized between \$50 and \$100. These results are not materially different from the results on white farms. The percentages of the whites show somewhat higher, but not much higher values attained in that year.

As to the character of tenure, it is found that of the negro farmers of the United States in 1900 38 per cent were share tenants, 36.6 per cent cash tenants, 21 per cent owners, and 4 per cent part owners. In this respect the figures as to the white farms are materially different. Of the white farmers about 60 per cent are owners. The showing of the negroes as to ownership and cash tenancy is, however, quite creditable.

As to the acreage, the negro farms of between 20 and 50 acres constitute 45.9 per cent of the total negro farms; between 50 and 100 acres, 18 per cent; between 10 and 20 acres, 16 per cent, and between 100 and 175 acres, 8.9 per cent. This is not materially different from the acreage percentage of the white farms—a little smaller, but not much. Especially in the Southern States the difference in favor of the whites in respect to acreage is very small.

The greater percentage of tenancy among the negroes and of ownership among the whites is a perfectly natural condition of affairs. In view of the short time that has elapsed since emancipation, nothing else could be reasonably expected. As the census says: "To find any other condition would prove the negro race industrially superior to the white race," especially as "the negro started with nothing forty years ago." The following paragraphs from the census are also in point:

"In 1860 in the South Atlantic States there were 301,940 farms, practically all operated by white farm owners or managers. In 1900 there were 673,354 farms operated by white farmers, of which 450,541 were conducted either by farmers who owned the whole or a part of their land or by hired white managers, and 222,813 by cash or share tenants. In forty years the number of farms operated by white farmers increased 371,414, and of that number 148,601, or 40 per cent, were those of owners or managers, and 222,813, or 60 per cent, those of tenants. In the period which witnessed this addition of white farmers in the South Atlantic States 287,933 negroes had acquired control of farm land in those States, of whom 202,578, or 70.4 per cent, were tenants, and 85,355, or 29.6 per cent, were owners or managers.

"In considering these comparative figures, account should be taken of the following facts: The negroes at the close of the civil war were just starting out upon their career as wage-earners. They had no land and no experience as farm owners or tenants, and none of them became farm owners by inheritance nor inherited money with which to buy land. Of the 371,414 white farmers added since 1860, very many were the children of landowners and came into the possession of farm land, or the wherewithal to purchase the

same, by inheritance. When this difference in the industrial condition of the two races in 1860 is taken into account, the fact that the relative number of owners among the negro farmers in the South Atlantic States in 1900 was practically three-fourths as great as the relative number of owners among the white farmers of those States added in the same period marks a most noteworthy achievement."

The statistics for the South Central States show about the same proportions.

As already stated, the total number of farms in the United States operated by negroes in 1900 was 746,717. The value of these farms, including buildings, tools, machinery, and live stock, was \$499,943,734. The value of the products of these farms, inclusive of products fed to live stock on the premises, was \$255,751,145, and exclusive of products fed to livestock, \$229,907,702. The value of the negro farms was about 2½ per cent of the total valuation of the farm property of the United States, while the value of the products of the negro farms was about 6 per cent of the total value of the farm products of the United States.

Turning to the Southern States again, we find that the corresponding proportions are greatly increased. In round numbers the values of all the farm property in those States, and of the negro farm property, were in 1900 as follows:

State.	Total farm values.	Negro farm values.
Virginia.....	\$323,000,000	\$25,000,000
North Carolina.....	234,000,000	28,000,000
South Carolina.....	153,000,000	44,000,000
Georgia.....	228,000,000	49,000,000
Florida.....	54,000,000	6,000,000
Alabama.....	179,000,000	47,000,000
Mississippi.....	204,000,000	86,000,000
Louisiana.....	198,000,000	38,000,000
Texas.....	962,000,000	56,000,000
Arkansas.....	181,000,000	34,000,000
Total.....	2,716,000,000	413,000,000

In other words, the value of the negro farm property in these ten States is about 15 per cent of the total farm property in those States, and if Texas be eliminated, a State which is in much of its area not closely affiliated with the South, and in which the negroes have comparatively small interests, the proportion would be over 20 per cent.

The figures in regard to the relative values of farm products at the South are still more striking:

State.	Total farm products.	Negro farm products.
Virginia.....	\$73,000,000	\$8,000,000
North Carolina.....	79,000,000	13,000,000
South Carolina.....	62,000,000	25,000,000
Georgia.....	92,000,000	27,000,000
Florida.....	16,000,000	3,000,000
Alabama.....	81,000,000	27,000,000
Mississippi.....	91,000,000	47,000,000
Louisiana.....	66,000,000	19,000,000
Texas.....	209,000,000	21,000,000
Arkansas.....	66,000,000	16,000,000
Total.....	835,000,000	206,000,000

Here the proportion of the products of negro farms, as compared with the total farm products of the ten States, is seen to be nearly 25 per cent, or, taking out Texas, nearly 30 per cent.

In all parts of the country except the far West the per cent of improved land on farms operated by negroes is greater than on those of white farmers. The greatest difference of this kind in 1900 was in the South Central States, where the farms of negroes had 63.8 per cent of improved land, while those of the whites had but about 28 per cent.

The total acreage of the negro farms in the whole country is about 40,000,000 acres; acreage of all farms about 840,000,000 acres. These figures are for 1900.

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I. OUGHT THE NEGRO TO BE DISFRANCHISED?—OUGHT HE TO HAVE BEEN ENFRANCHISED?

[James G. Blaine, L. Q. C. Lamar, Wade Hampton, James A. Garfield, Alexander H. Stephens, Wendell Phillips, Montgomery Blair, Thomas A. Hendricks, conclusion—James G. Blaine.]

MR. BLAINE: These questions have lately been asked by many who have been distinguished as the special champions of the negro's rights; by many who have devoted their lives to redressing the negro's wrongs. The questions owe their origin not to any cooling of philanthropic interest, not to any novel or radical views about universal suffrage, but to the fact that, in the judgment of many of those hitherto accounted wisest, negro suffrage has failed to attain the ends hoped for when the franchise was conferred; failed as a means of more completely securing the negro's civil rights; failed to bring him the consideration which generally attaches to power; failed, indeed, to achieve anything except to increase the political weight and influence of those against whom, and in spite of whom, his enfranchisement was secured.

Those who have reached this conclusion, and those who are tending toward it, argue that the important franchise was prematurely bestowed on the negro; that its possession necessarily places him in inharmonious relations with the white race; that the excitement incident to its free enjoyment hinders him from progress in the rudimentary and essential branches of education; that his advance in material wealth is thus delayed and obstructed; and that obstacles, which would not otherwise exist, are continually accumulating in his path, rendering his progress impossible and his oppression inevitable. In other words, that suffrage in the hands of the negro is a challenge to the white race for a contest in which he is sure to be overmatched, and that the withdrawal of the franchise would remove all conflict, restore kindly relations between the races, place the whites on their proper and honorable responsibility, and assure to each race the largest prosperity attainable under a government where both are compelled to live.

The class of men whose views are thus hastily summarized do not contemplate the withdrawal of the suffrage from the negro without a corresponding reduction in the representation in Congress of the States where the negro is a large factor in the apportionment. And yet it is quite probable that they have not given thought to the difficulty, or rather the impossibility, of compassing that end. Under the Constitution, as it is now construed, the diminution of representative strength could only result from the States passing such laws as would disfranchise the negro by some educational or property test, as it is forbidden by the fifteenth amendment to disfranchise him on account of his race. But no Southern State will do this, and for two reasons: First, they will in no event consent to a reduction of representative strength; and, second, they could not make any disfranchisement of the negro that would not at the same time disfranchise an immense number of whites.

Quite another class—mostly resident in the South, but with numerous sympathizers in the North—would be glad to have the negro disfranchised on totally different grounds. Born and reared with the belief that the negro is inferior to the white man in everything, it is hard for the class who were

masters at the South to endure any phase or form of equality on the part of the negro. Instinct governs reason, and with the mass of Southern people the aversion to equality is instinctive and ineradicable. The general conclusion with this class would be to deprive the negro of voting if it could be done without impairing the representation of their States, but not to make any move in that direction so long as diminished power in Congress is the constitutional and logical result of a denial or abridgment of suffrage. In the meanwhile, seeing no mode of legally or equitably depriving the negro of his suffrage except with unwelcome penalty to themselves, the Southern States as a whole—differing in degree but the same in effect—have striven to achieve by indirect and unlawful means what they can not achieve directly and lawfully. They have so far as possible made negro suffrage of none effect. They have done this against law and against justice.

Having stated the position of both classes on this question, I venture now to give my own views in a series of statements in which I shall endeavor to embody both argument and conclusion:

First. The two classes I have named, contemplating the possible or desirable disfranchisement of the negro from entirely different standpoints, and with entirely different aims, are both and equally in the wrong. The first is radically in error in supposing that a disfranchisement of the negro would put him in the way of any development or progress that would in time fit him for the suffrage. He would instead grow more and more unfit for it every day from the time the first backward step should be taken, and he would relapse, if not into actual chattel slavery, yet into such a dependent and defenseless condition as would result in only another form of servitude. For the ballot to-day, imperfectly enjoyed as it is by the negro, its freedom unjustly and illegally curtailed, its independence ruthlessly marred, its purity defiled, is withal and after all the strong shield the race has against a form of servitude which would have all the cruelty and none of the alleviations of the old slave system, whose destruction carried with it the shedding of so much innocent blood.

The second class is wrong in anticipating even the remote possibility of securing the legal disfranchisement of the negro without a reduction of representation. Both sides have fenced for position on this question. But for the clause regulating representation in the fourteenth amendment to the Constitution we should to-day have the South wholly under the control, and legally under the control, of those who rebelled against the Union and sought to erect the Confederate government—enjoying full representation by reason of the negroes being counted in the apportionment without a pretense of suffrage being conceded to the race. The fourteenth amendment was designed to prevent this, and if it does not succeed in preventing it it is because of evasion and violation of its express provisions and of its clear intent. Those who erected the Confederate government may be in exclusive possession of power throughout the South, but they are not so fairly and legally, and they will not be permitted to continue in the enjoyment of political power unjustly seized—and seized in derogation and in defiance of the rights not merely of the negro, but of the whites in all other sections of the country. Injustice can not stand before exposure and argument and the force of public opinion, and no more severe weapons of defense will be required against the wrong which now afflicts the South and is a scandal to the whole country.

Second. But, while discussing the question of the disfranchisement of the negro, and settling its justice or expediency according to our discretion, it may be worth while to look at its impracticability or, to state it still more strongly, its impossibility. Logicians attach weight to arguments drawn ab inconvenienti. Arguments must be still more cogent and conclusions still more decisive when drawn ab impossibili. The negro is secure against disfranchisement by two constitutional amendments, and he can not be re-

manded to the nonvoting class until both these amendments are annulled. And these amendments can not be annulled until two-thirds of the Senate and two-thirds of the House of Representatives of the United States shall propose, and a majority in the legislatures or conventions of twenty-nine States shall by affirmative vote approve, the annulment. In other words, the negro can not be disfranchised so long as one vote more than one-third in the United States Senate or one vote more than one-third in the House of Representatives shall be recorded against it, and if these securities and safeguards should give way, then the disfranchisement could not be effected so long as a majority in one branch in the legislatures of only ten States should refuse to assent to it and refuse to assent to a convention to which it might be referred. No human right on this continent is more completely guaranteed than the right against disfranchisement on account of race, color, or previous condition of servitude, as embodied in the fifteenth amendment to the Constitution of the United States.

Third. In enforcement and elucidation of my second point it is of interest to observe the rapid advance and development of popular sentiment in regard to the rights of the negro as expressed in the last three amendments to the Constitution of the United States. In 1865 Congress submitted the thirteenth amendment, which merely gave the negro freedom, without suffrage, civil rights, or citizenship. In 1866 the fourteenth amendment was submitted, declaring the negro to be a citizen, but not forbidding the States to withhold suffrage from him—yet inducing them to grant it by the provision that representation in Congress should be reduced in proportion to the exclusion of male citizens 21 years of age from the right to vote, except for rebellion or other crime.

In 1869 the decisive step was taken of declaring that "the right of citizens of the United States to vote shall not be abridged by the United States or by any State on account of race, color, or previous condition of servitude." A most important provision in this amendment is the inhibition upon the "United States" as well as upon "any State;" for it would not be among the impossible results of a great political revolution, resting on prejudice and grasping for power, that, in the absence of this express negation, the United States might assume or usurp the right to deprive the negro of suffrage, and then the States would not be subjected to the forfeiture of representation provided in the fourteenth amendment as the result of the denial or abridgment of suffrage by State authority. In this stately progression of organic enactments the will of a great people is embodied, and its reversal would be one of those revolutions which would convulse social order and endanger the authority of law. There will be no step backward, but under the provision which specifically confers on Congress the power to enforce each amendment by "appropriate legislation" there will be applied, from time to time fitfully, perhaps, and yet certainly, the restraining and correcting edicts of national authority.

Fourth. As I have already hinted, there will be no attempt made in the Southern States to disfranchise the negro by any of those methods which would still be within the power of the State. There is no Southern State that would dare venture on an educational qualification, because by the last census there were more than 1,000,000 white persons over 15 years of age, in the States lately slaveholding, who could not read a word, and a still larger number who could not write their names. There was, of course, a still greater number of negroes of the same ages who could not read or write; but in the nine years that have intervened since the census was taken there has been a much greater advance in the education of the negroes than in the education of the poor whites of the South; and to-day on an educational qualification it is quite probable that, while the proportion would be in favor of the whites, the absolute exclusion of the whites in some of the States would

be nearly as great as that of the negroes. Nor would a property test operate with any greater advantage to the whites. The slave States always had a large class of very poor and entirely uneducated whites, and any qualification of property that would seriously diminish the negro vote would also cut off a very large number of whites from the suffrage.

Thus far I have directed my argument to the first question propounded, "Ought the negro to be disfranchised?" The second interrogatory, "Ought he to have been enfranchised?" is not practical, but speculative; and yet, unless it can be answered with confidence in the affirmative, the moral tenure of his suffrage is weakened, and, as a consequence, his legal right to enjoy it is impaired. For myself I answer the second question in the affirmative, with as little hesitation as I answered the first in the negative. And, if the question were again submitted to the judgment of Congress, I would vote for suffrage in the light of experience with more confidence than I voted for it in the light of an experiment. Had the franchise not been bestowed upon the negro as his shield and weapon of defense, the demand upon the General Government to interfere for his protection would have been constant and irritating and embarrassing. Great complaint has been made for years past of the Government's interference, simply to secure to the colored citizen his plainest constitutional right. But this intervention has been trifling compared to that which would have been required if we had not given suffrage to the negro. In the reconstruction experiments under President Johnson's plan, before the negro was enfranchised, it was clearly foreshadowed that he was to be dealt with as one having no rights except such as the whites should choose to grant. The negro was to work according to labor laws; freedom of movement and transit was to be denied him by the operation of vagrant laws; liberty to sell his time and his skill at their market value was to be restrained by apprentice laws; and the slavery that was abolished by the Constitution of a nation was to be revived by the enactment of a State. To counteract these and all like efforts at reenslavement, the national authority would have been constantly invoked; interference in the most positive and peremptory manner would have been demanded, and angry conflict and possibly resistance to law would have resulted. The one sure mode to remand the States that rebelled against the Union to their autonomy was to give suffrage to the negro; and that autonomy will be complete, absolute, and unquestioned whenever the rights that are guaranteed by the Constitution of the Republic shall be enjoyed in every State—as the administration of justice was assured in Magna Charta—"promptly and without delay; freely and without sale; completely and without denial."

JAMES G. BLAINE.

Mr. LAMAR: The precision with which Mr. Blaine states his premises and the unimpassioned spirit in which he draws his conclusions render the discussion which he proposes both possible and profitable. His statement itself deprives the issue of nearly all its difficulty and danger. He lays down with force and clearness his propositions:

1. That the disfranchisement of the negro is a political impossibility under any circumstances short of revolution.

2. That the ballot in the hands of the negro, however its exercise may have been embarrassed and diminished by what he considers, erroneously, a general southern policy, has been to that race a means of defense and an element of progress.

I agree to both propositions. In all my experience of southern opinion I know no southern man of influence or consideration who believes that the disfranchisement of the negro on account of race, color, or former condition of servitude is a political possibility. I am not now discussing the propriety or wisdom of universal suffrage, or whether, in the interests of wise, safe, and orderly government, all suffrage ought not to be qualified. What

I mean to say is that universal suffrage being given as the condition of our political life, the negro once made a citizen can not be placed under any other condition. And in this connection it may surprise some of the readers of this discussion to learn that in 1809 the white people of Mississippi unanimously voted at the polls in favor of ratifying the enfranchising amendment for which Mr. Blaine voted in Congress, believing as they did that when once the negro was made a free man, a property holder, and a taxpayer he could not be excluded from the remaining privilege and duty of a citizen, the right and obligation to vote. And I think I can safely say for that people what Mr. Blaine says for himself, that, if the question were again submitted to their judgment, they "would vote for negro suffrage in the light of experience with more confidence than they voted for it in the light of an experiment."

I concur also in the second proposition, that the ballot has been in the hands of the negro both a defense and an education; and I am glad to find this important truth recognized so fully by Mr. Blaine. We might possibly differ as to the extent to which the defense was needed or as to the progress which has been made in the education. But enough would remain for substantial agreement. There can be no doubt that in the unaccustomed relation into which the white and colored people of the South were suddenly forced there would have been a natural tendency on the part of the former masters, still in possession of the land and of the intelligence of the country and of its legislative power, to use an almost absolute authority and to develop the new freedman according to their own idea of what was good for him. This would have resulted in a race distinction, with such incidents of the old system as would have discontented the negro and dissatisfied the general opinion and sentiment of the country. If slavery was to be abolished, it must, I think, be admitted that there could be nothing short of complete abolition, free from any of the affinities of slavery; and this would not have been effected so long as there existed any inequality before the law. The ballot was, therefore, a protection of the negro against any such condition and enabled him to force his interests upon the legislative consideration of the South.

What I do not think Mr. Blaine fully realizes or makes due allowance for is that this sudden transformation, social and political, would necessarily produce some jar in its practical operation, and that its successful working could be effected only by experienced and conscientious men acting on both sides with good sense and good temper. Conquest on either side only complicated the problem. Its only solution was a sagacious and kindly cooperation of all the social forces. The vote in the hands of the negro should have been genuinely "a defense," not a weapon of attack.

The proper use of this defensive power and its growth into a means of wholesome and positive influence upon the character and interests of the country could only be attained by the education of the negro. And I agree fully with Mr. Blaine that his practical use of the ballot was an important part of that education. I am willing to accept the present condition of the South as the result of that practical education. Will he? I say that the negro has been using this defense for ten years, that in this time hundreds of thousands of negroes, born free, have grown to manhood under the experience of a political life as open to them as to the old, white, governing race; and Mr. Blaine himself asserts that education has been more generally diffused among the youth of the colored race than among the poorer classes of the whites—whether truly or erroneously we will not here discuss—and the result is that throughout the South the races vote together, that they have learned where their mutual interest lies, and that whom God has joined all the politicians have failed to keep asunder.

I have his essay before me. He denies that this is a legitimate result. He insists that the facts prove that the negro vote has been cheated by fraud or

defeated by force and that the present condition of southern politics is an unnatural result. I am willing to meet this issue on his own principles. I will indulge in neither invective nor denunciation. I will simply take the late government of South Carolina or of Louisiana, or of other States under similar rule, and describe it in language that Mr. Blaine may himself select. When he has told its history I will ask him whether he would willingly, as a patriotic American, desire to see his own State, or any other of the free States, reduced to such a level? I am not afraid of his answer or that of any man who has been bred under the traditions of a virtuous civilization.

Then I will say to him: This, it is true, is a painful result; but when you put the ballot in the hands of an ignorant negro majority as a means of education and progress you must be patient while they learn their lesson. We of the South have borne all this because we knew that the reaction must come. It has come. The results which you see to be so bad the negro has seen also. He has come back to us with the same blind impulse with which a few years ago he fled from us. He may be as ignorant a Democrat as he was an ignorant Republican, but years must yet pass before the ballot will have educated him fully into self-reliant, temperate citizenship; and what we of the South have borne our friends of the North must bear with us, until the negro has become what we both want to make him. This is part of his education. By a system not one whit less a system of force or of fraud than that alleged to exist now he was taken away from his natural leaders at the South and held to a compact Republican vote. Granting—which I do not grant—that the present methods are as bad as those then applied, the fault lies in the character of the vote. It is not educated to free action, and we must educate it to what it ought to be. Take the history of the race, as stated by Mr. Blaine himself, and is there not progress, astonishing progress, when the material with which we are dealing is considered? Force and fraud have been freely charged. Suppose it granted. Could anyone expect, did anyone expect, that such a tremendous political and social change—the sudden clothing of 4,000,000 slaves with suffrage and with overruling political power—could be made without violent disturbance and disorder? Had any such change ever been made in any free State without convulsion? Was it to be expected that, when the capital and character of a State were placed at the mercy of a numerical majority of ignorant and poverty-stricken voters, it would present a model of peace and order?

But all this while the ballot has been educating the negro. He has learned that he was a power between Republican and Democrat. He is now learning rapidly that at the South he is a power between Democrat and Democrat, and in the late election he made that power felt in the result. I would have preferred a much less costly tuition; but, such as it is, it has been paid for, and if Mr. Blaine will patiently trust his own theory he will find the ballot in the hands of the negro the best defense and the best educator. But, as the South has been patient, so must he be patient. As the South has chafed ineffectually when that vote was all against her white people, so will he chafe ineffectually when it is now largely for them.

In his perplexity over the sudden change in the vote of the negro Mr. Blaine has forgotten that, at this stage of its progress, the negro vote can not intelligently direct itself. It must and will follow some leader. Now, up to 1876 the Republican party, armed with all the authority of the Federal Government, supplied those leaders. They were strangers in the States they governed. The moment that the compact vote upon which their power rested was divided they abandoned their places, and in almost every case left the State in which they had ruled. The great mass of colored voters was left without guides. In many of the largest counties, where their majority was absolute, they were not only not organized, but there was not interest enough to print a Republican ticket. The weapon of defense which

had been given to the negro was thrown away by his leaders in their flight, and Mr. Blaine can scarcely complain if it was picked up by the Democrats. In saying this I do not wish to provoke or renew useless and irritating controversies; but Mr. Blaine's position is that not only the negro ought not to be disfranchised, but that such a question could never have suggested itself but for an illegal control of the negro vote by southern Democrats. My view is that while the enfranchisement of the negro was a political necessity, it could not be effected without subjecting the country to such dangerous political aberrations as we have experienced; that a wise man would have foreseen them; and that, in fact, they have been less than could reasonably have been anticipated; that the ballot in the hands of the negro has been a protection and an educator; that with it he has been stronger and safer in all his rights than the Chinese have been in California without it, and that the problems it raised are steadily and without danger solving themselves through the process of local self-government.

When Mr. Blaine admits that disfranchisement is impossible and that the ballot has been, in spite of all drawbacks, a benefit to the negro, he really proves that there is no organic question affecting great national interests but simply the subordinate question, How rapidly is the ballot fitting the negro for the full enjoyment of his citizenship, and what influence does his vote exercise upon the supremacy of one party or the other in national politics? This latter may be an interesting question, but not one which should disturb either a sound national sentiment or great national interests. I do not propose to discuss it. I am of opinion that to make the negro a free citizen it was necessary first to take him from his master. Then it became necessary to take him from the party which claimed his vote as absolutely as his master had claimed his labor. The next step will be to take him as a class from either party and allow him to differ and divide just as white men do. The difficulty so far has been that the Republican party desires to retain the negro not as a voter, but as a Republican voter. Party politics have been directed to keep him at the South in antagonism to the white race, with whom all his material interests are identified. Whenever—and the time is not distant—whenever political issues arise which divide the white men of the South, the negro will divide too. The time will then have come when he can not act against the white race as a body or with the white race as a body. He will have to choose for himself; and the white race, divided politically, will want him to divide. The use of his vote will then be the exercise of his individual intelligence, and he will find friends on all sides willing and anxious to enlighten and influence him, and to sustain him in his decisions.

The whole country has passed through a very painful experience in the solution of this question, and no one can adequately describe the bitterness of the trial of the South; but she has borne it, and it seems to me that a statesman who loves this great country of which we are all citizens should feel that the time has come when a kindly judgment of each other's difficulties would bring us nearer to that unanimity of action which can alone aid the solution of a grave social and political problem. I was born and bred a slaveholder, born and bred among slaveholders; I have known slavery in its kindest and most beneficent aspect. My associations with the past of men and things are full of love and reverence. In all history never has a heavy duty been discharged more faithfully, more conscientiously, more successfully, than by the slaveholders of the South. But, if I know myself and those whom I represent, we have accepted the change in the same spirit. No citizen of this Republic more than the southerner can or does desire to see the negro improved, elevated, civilized, made a useful and worthy element in our political life. None more than they deplore and condemn all violence or other means tending to hinder the enjoyment of his elective franchise. The South took him, as he was sent to her, a wild and godless barbarian, and made him

such that the North has been able to give him citizenship without the destruction of our institutions. The progress which he made with us as a slave will not be arrested now that he is a freeman—unless party passion and personal ambition insist upon using him as an instrument for selfish ends. And I have joined in this discussion because I regard it an honest effort to remove this question from the heated atmosphere of political debate, and to ask the conscientious attention of thinking men to a problem the wise and peaceful solution of which will be one of the noblest achievements of democratic civilization.

Mr. Blaine assumes that the Southern States as a whole—differing in degree, but the same in effect—have through force and fraud so suppressed the negro vote as to make negro suffrage as far as possible of none effect. The statistics of election will show that the negro vote throughout the South has not been suppressed. That there have been instances of fraud and force I admit and deplore, but they have been exceptional. Take them all in the recent election and average them among a population of 12,000,000 people, and to what do they amount? The President, in reviewing the whole subject after these elections, did allege, and could only allege, that in all these States but seven Congressional districts exhibited results which were altered by either fraud or force. When we consider the fact that since the formation of the Government there have been but few Congresses, if any, in which there have not been elections from all parts of the Union contested on these very grounds, and then bear in mind that at no time in our history, and in no other part of our country, has there ever been so keen and searching a scrutiny into the facts of election as that to which the South has been subjected, these exaggerated statements of force and fraud must be reduced to their real proportions.

But suppose the allegations which Mr. Blaine puts as the argument of those who advocate disfranchisement be true, viz., that the present political condition of the South is practically the rule, not of a numerical majority of the whole people black and white, but of the whites as one unanimous class; and let it be conceded fully that such a political condition, if it actually exists, is an evil, what is the precise nature and extent of that evil? In the first place, it is not pretended that any of these civil rights of person and property that negro suffrage was intended to protect have been invaded or endangered. Indeed, this seems to be impliedly admitted, though not explicitly stated by Mr. Blaine's article. The object of the fifteenth amendment is fully disclosed by contemporaneous debates. It was to protect and establish free labor in the South, in all its new relations of rights and interests, by giving to the emancipated laborer the political means of maintaining those rights and interests. Now, will anyone deny that this purpose has not achieved its fullest consummation under existing conditions? Is free labor anywhere on earth more firmly established, more fully developed, or more absolute in its demands (even for exaggerated remuneration), and more secure and unrestricted in the enjoyment of its gains than in the South? In all respects, negro freedom and negro equality before the law, security of person and property, are ample and complete. To protect these, should they be invaded, he has the franchise with which a freeman can maintain his rights. He may no longer allow it to be used as a tool for the rapacity of political adventurers; but he is perfectly conscious of the fact which Mr. Blaine states, that his right to vote is to himself and his race a shield and sword of defense.

The question, then, recurs—conceding, for the sake of argument, that in the South political rule represents not the will of mere numbers, but the intellectual culture, the moral strength, the material interests, the skilled labor, the useful capital of that entire section, as well as its political experience—is not this result exactly what the intelligence, character, and property of the country are striving to effect in every Congressional district in the Union, and

is it not a perfectly legitimate result of placing the ballot in the hands of a population unfamiliar with its use, and who are peculiarly susceptible to the influences which property and brains have always exerted in popular government?

I anticipate the answer. It is that the property and intelligence of the other sections seek to control the votes of the masses by methods that are legitimate and peaceful, while the Southern whites have achieved their power by means which are unlawful and unjust. So far I have to some extent, for the sake of argument, conceded the assumption that the negro vote has been subjected to the forcible control of the white race, but that I deny. Reference has been made to the great change which the election returns show in the negro vote throughout the South. The phenomenon is easily explained. Let any intelligent northern man review the history of the State governments of the South for the last ten years under Republican rule—their gross and shameless dishonesty, their exorbitant taxation, their reckless expenditure, their oppression of all native interests, the social agonies through which they have forced all that was good and pure to pass as through a fiery furnace; the character of the men—many of them—they have placed in power; and then say if such a state of things in a Northern or Western State would not have been a sure and natural precursor of a Republican defeat, so absolute and complete that the very name of the party would have become in that State a name of scorn and reproach. Then why should not that result have occurred in the South? Are we to assume that the black race have neither instinct nor reason—have no sense, no intelligence, no conscience, no independence; that in every Southern State the thralldom of the negro vote to party leaders, even when abandoned by them, is so unquestioning and abject that no amount of misrule can cut him loose from them or teach him the advantage of a more natural and wholesome political alliance? To reason thus is simply to say that the negro is unfit for suffrage, and to surrender the argument to those who hold that he ought to be disfranchised.

But this is not true. There are many honest, intelligent, and independent men among the negroes in every Southern State. There are thousands of them who own property, who cultivate their own lands, who have taxes to pay, and who appreciate their vital interests in good government. This change in his political relations which has been the subject of so much in credulous comment is the legitimate result of the experience through which he has gone.

So far from proving his weak subordination to a hostile influence, it demonstrates what Mr. Blaine says, that the ballot box indeed educated him to understand his own interest, and that he has learned to use it as an instrument to protect his own rights. To interfere with such a result because it does not square with the necessities or the ambitions of this or that party seems to me to be in direct contradiction to what has been suggested by Mr. Blaine himself. He says, "The one sure mode to remand the State that rebelled against the Union to their autonomy was to give suffrage to the negro," leaving (I venture to add) to self-government the evolution of the proper remedies for whatever of evil or error may attend the working out of this grave and critical experiment.

L. Q. C. LAMAR.

Mr. HAMPTON: In discussing the questions upon which my views are asked, the limits prescribed me in the invitation prevent anything more than a mere statement of opinion. Even were this otherwise, my present condition forbids me to enter into any extended or elaborate argument. Mine must be, therefore, simply a presentation in crude form of the views I entertain, and have entertained for some years, upon the grave questions submitted for consideration. I shall endeavor to write in a spirit free from all partisanship

or sectionalism, with the sole purpose of promoting the cause of truth and the welfare of the whole country.

The first question is, "Should the negro be disfranchised?" There has been much agitation of this subject recently—chiefly at the North—and many who have hitherto been the most earnest advocates of negro suffrage begin to think that the bestowal of this privilege upon him has resulted in failure. Those who thus think suppose that the withdrawal of the right of suffrage would at once restore the ancient and normal condition of things in the country; would reestablish friendly relations between the races of the South, and in so far as it would diminish representation, would lessen the influence of that section in national affairs. This latter argument, I regret to see, has had most weight with a large class, though it is inconsistent with a true and catholic patriotism—a patriotism which looks to the good of the whole Republic, and not to that of a limited section.

But whatever may be the motives of those who desire the disfranchisement of the negro, the accomplishment of such a result has been rendered impossible by the action of the national and State governments. Great and startling as have been the political mutations of the last few years, the disfranchisement of the negro at this or any subsequent period would be more surprising than any political event in our past history. The question, therefore, does not belong to practical politics, and is a mere speculative one. Considering it in the latter aspect, I do not hesitate to answer in the negative. Whatever may have been the policy of conferring the right of voting upon the negro, ignorant and incompetent as he was to comprehend the high responsibility thrust upon him, and whatever may have been the reasons which dictated this dangerous experiment, the deed has been done and is irrevocable. It is now the part of true statesmanship to give it as far as possible that direction which will be most beneficial or least hurtful to the body politic.

How is this to be accomplished?

My answer would be, by educating the negro until he comprehends the duties and responsibilities of citizenship. By "education" I do not mean the mere acquisition of learning, but I apply the term in its broadest sense. The possession of the rudiments of education—the mere mental training that this implies—so far from being always beneficial to its possessor, is often harmful. Many of our lately enfranchised citizens make the first use of their newly acquired ability to read and write by committing forgery, and here at least they have manifested a wonderful aptitude. By educating them I mean that their moral nature should be cultivated, *pari passu*, with their intellect. This moral education is of far greater importance than an intellectual one. A man is not necessarily a better citizen because he can read and write, nor does the possession of these acquirements make him, as a matter of course, more competent to understand and discharge the duties of citizenship. I doubt whether the citizens of that State which makes its boast that more of its people can read and write than in any other government are equal in art, in culture, and in statesmanship to the Athenians in their palmy days, who were without these accomplishments the most intelligent and critical of political constituencies.

As the stability of our institutions depends on the intelligence and virtue of our citizens, it is the duty of every patriot to promote the cause of true education.

Especially is this the case with regard to that unfortunate people who, after centuries of servitude, were suddenly called to exercise the highest duties of freemen. They came to the discharge of these duties utterly ignorant, with the prejudices, the habits, and the evils inculcated by a life of slavery—merely children of a larger growth, and, like all children, full of credulity. It is not to be wondered at, then, that they were easily misled by

the wicked and designing men who flocked to the South when she was prostrate. But in spite of the evil advice they have so constantly received they have on the whole behaved better than any other people similarly situated would have done, and the whites of the South have no reason to cherish any ill will toward the blacks—nor do they. And the time is rapidly approaching when the colored people will find their best friends among the thoughtful and considerate whites of the South—a class by no means small at present, and which is growing larger and stronger every hour. But this digression leads me from the discussion of the question under consideration; and my purpose, as declared at the outset, was only to state my opinions, not to enter into argument to establish them.

From the remarks already made, my answer to the first question submitted is easily anticipated: It would be almost impossible to disfranchise the negro, and, if possible, it would not be carried into effect. The South does not desire to see this done, and without her aid it can never be accomplished. The negro contributes not only to the wealth of the South, but to her political power, and she is indisposed to deprive herself of any of her advantages.

As the negro becomes more intelligent, he naturally allies himself with the more conservative of the whites, for his observation and experience both show him that his interests are identified with those of the white race here.

This is the inevitable tendency of things as they now stand at the South, and no extraneous pressure can change a result which is as sure and fixed as any other natural law.

The opinions which are announced above have not been hastily formed or only recently entertained. They are the result of very earnest and long reflection, and as an evidence of this it may not be improper, even at the risk of appearing to touch too closely on personal matters, to state the position that I have occupied in regard to these questions since the close of the war. In 1865, even before I had received my parole, I spoke, and was the first man at the South who did so, to a large audience of negroes upon the changed relations between the two races, and I gave to them the same advice that I have given from that day to this. In 1867, in the city of Columbia, at the earnest invitation of the colored people themselves, I spoke to them again, and upon that occasion advocated qualified suffrage. It must be borne in mind that at the time this was done some of the most prominent leaders of the Republican party had taken decided ground against giving the right of suffrage to the negro. It is unnecessary to give all the reasons that induced me to take this course; it is sufficient to say that I fully realized that when a man had been made a citizen of the United States he could not be debarred the right of voting on account of his color. Such exclusion would be opposed to the entire theory of republican institutions, and I foresaw that, unless the States, while they had the right of regulating the elective franchise, prescribed the qualifications of their voters, the National Government would intervene, and we should have universal suffrage forced upon us. My object, then, was, by fixing an educational qualification as a prerequisite for voting, to allow the most intelligent of the colored people to vote at once, and this would have been an inducement to the rest of the race to endeavor to qualify themselves for the attainment and exercise of this privilege by securing the necessary education. The admission of the limited number who would thus have been allowed to vote at first would have produced no confusion in the machinery of the State governments, and the relations between the two races would have been friendly and harmonious; but the course that I recommended was not adopted, and we of the South have been subjected to all the humiliation and crime brought about by reconstruction. As the negro is now acquiring education and property, he is becoming more conservative, and naturally desires to assist in the establishment and maintenance of good government and home rule. I have endeavored—and I think not without

success—to teach him here how to use the vote for his own good, and the benefit of the political society in which he lives and with which his future prosperity is identified. The result has been shown in the last two general elections in this State, where thousands of negroes voted with their white friends; and if any doubt is entertained of the sincerity of these voters, and any impartial visitor from the North will take the pains to inquire throughout the State, I will venture the assertion that in every locality he will find as earnest, as active, and as consistent Democrats among the colored people as among the whites, and these colored Democrats are generally among the more intelligent of their race.

Under these circumstances, as the negro is endeavoring very generally to qualify himself for the duties of citizenship, the wrong of disfranchising him would be as great as that inflicted upon us in the first instance, when universal suffrage was given to him while he was yet utterly unprepared to exercise it.

The second question to which my attention has been invited is, "Ought the negro to have been enfranchised?" It may seem inconsistent with the views I have expressed in the first part of this article to say that I do not think he should have been enfranchised at the time and in the manner in which it was done. My first objection is that the mode that was pursued, if not directly unconstitutional, was certainly extraconstitutional, and I am utterly opposed to any violation, direct or indirect, of that instrument. Whenever a political party thinks it is necessary, in order to secure its supremacy, to act outside of the Constitution, and this is permitted by the people without rebuke, we may be sure that we have entered upon that downward plane which every previous republic has traveled to destruction. The only hope of maintaining our institutions in their integrity is by a strict observance of the Constitution, and no party should be allowed to remain a moment in power which countenances in any manner any violation of its sacred provisions.

My next objection to conferring suffrage on the negro immediately upon his emancipation was that he was totally incompetent to exercise or even to understand the rights conferred upon him. The injection of such a mass of ignorant and untrained voters into the body politic was the most perilous strain to which our institutions have ever been subjected, and the danger arising from this experiment has not yet passed. It was a crime against the whites of the South to disfranchise them in large part while enfranchising the negro, and thus practically placing all the rights of the former at the mercy of newly emancipated slaves. All these difficulties might have been avoided had partial suffrage been adopted in the first instance and the relations between the two races been allowed to adjust themselves by the unimpeded action of natural laws. This course would have been infinitely better for the negro himself, as it would gradually have trained him in the exercise of the rights of freemen, and would have prevented that antagonism between the two races which has resulted in so many instances to the injury of the negro.

Those who assert that the negro should have been enfranchised have not hesitated to declare that the Indian, the native freeman of America, and the Chinese, who have sought our shores in such numbers, should be debarred that right. There seems to be some inconsistency in these views, and the advocates of negro enfranchisement should be called on to show why the privilege should be granted to him, the newly emancipated slave, and yet denied to men who have always been free and who possess more intelligence.

When the negro was made a citizen it followed as a logical consequence, under the theory of our institutions, that he must become a voter. My objection to his enfranchisement, therefore, is confined to the time when and the mode in which this privilege was conferred upon him.

I have answered these questions with entire frankness, in the hope that such a discussion, free from political acrimony and partisan misconceptions, would encourage the calm and conscientious consideration of the whole subject.

WADE HAMPTON.

Mr. GARFIELD: The editor of the Review has asked my opinion on the two questions discussed by Mr. Blaine. Were these questions proposed to the two Houses of Congress I have no doubt that it would be declared, with hardly a dissenting vote, that the negro ought not to be disfranchised. On the second question the formal vote might not be unanimous, but I have no doubt that a large majority would declare that the negro ought to have been enfranchised.

If it shall appear on a new roll call in 1879 that none are in favor of disfranchising the negro and few are ready to declare that he ought not to have been enfranchised, we may reasonably conclude that these measures are gaining strength and that their wisdom will finally be fully vindicated by the popular judgment.

But a vote on these questions at this time by "ayes and noes" is misleading, for it does not disclose the real differences of opinion which prevail among the people; nor does it reach the marrow of the controversy out of which the questions themselves arise. In fact, both of the great parties are influenced by the strongest political motives to maintain at least a profession of friendship for the negro. Political interest will therefore prevent a direct assault upon the constitutional amendments. It is practically impossible to rescind them; and I believe it is an historical fact that no government based on the national will has ever withdrawn the right of suffrage when once granted.

But below the formal questions which head this article lies this deeper one: Will enfranchisement finally prove a blessing or a curse to the negro and an element of weakness or of strength to our institutions?

Not long since a citizen of great ability and national prominence said to me: "Your party has ruined the Government of our fathers. In carrying up the walls of our national temple you have used untempered mortar, and your work will crumble and fall, involving in ruin the whole structure. The negro belongs to an inferior race; is without intellectual stamina and without any strong, enduring qualities of mind. Though he has been on our continent but a few generations, he has wholly forgotten the religion, the language, and even the traditions of his native country. He has no permanent individuality of character. Like the chameleon, he takes the color of his surroundings; and as a voter he will forever be a source of weakness and danger to our institutions."

This is perhaps the most powerful arraignment of the policy of enfranchisement which has been made. In reply it should be said, in the outset, that those who denounce the enfranchisement of the negro as unwise and dangerous are bound to show a better adjustment of his status. Even the defenders of the old system will hardly deny that the continued existence of chattel slavery was impossible. It was the sum of all injustice to the negro himself and a standing declaration of war against the public peace. Its destruction did not arise from mere meddlesomeness on the part of the North; the feeling against slavery was world-wide, and we were among the last of modern nations to realize its infamy and remove it from our system.

Between slavery and full citizenship there was no safe middle ground. To strike the shackles from the negro's limbs, to declare by law that he should not be bought or sold, scourged or branded at the will of his master, and then to leave him with no means of defending his rights before the courts and juries of the country—to arm him with no legal or political weapons of defense—would have been an injustice hardly less cruel to him, and a

policy even more dangerous to the public peace, than slavery itself. To leave the defense of all the rights of person and property of the manumitted slave to those who had just voted unanimously against his freedom would have been alike dishonorable and cruel. Indeed, this experiment was attempted soon after the close of the war. While the seceding States were under military control, the white people of the South were invited to aid in solving the difficulties of the negro problem by electing their own legislatures and establishing provisional governments. The result was that in 1865, 1866, and a portion of 1867, their legislatures, notably those of Mississippi and Louisiana, restricted the personal liberty of the negro, prohibited him from owning real estate, and enacted vagrant and peonage laws, whereby negroes were sold at auction for the payment of taxes or fines, and were virtually reduced to a slavery as real as that which existed before the war.

Congress was, therefore, compelled to choose between a policy which would have made the negro the permanent ward of the nation, and by constant interference with the local laws of the States would protect his personal and property rights, or to place in his own hands the legal and political means of self-defense. It was a choice between perpetual interference with the autonomy of the States—a policy at war with the fundamental principles of our Government and intolerable to the white population of the South—and the risk of admitting to the suffrage 4,000,000 people who were, as yet, in a large measure unfitted for its wise and intelligent exercise. In reviewing the situation as it existed from 1867 to 1869, I can not conceive on what grounds the wisdom of the choice then made can be denied. Possibly a plan of granting suffrage gradually as the negro became more intelligent would have been wiser; but the practical difficulties of such a plan would have been very great, and its discussion at this time can have no practical value.

The ballot was given to the negro not so much to enable him to govern others as to prevent others from misgoverning him. Suffrage is the sword and shield of our law, the best armament that liberty offers to the citizen.

It would be strange indeed if the negro should always use this weapon with wisdom and honesty. That he would sometimes be influenced by corrupt leaders was inevitable; but that, in spite of all drawbacks, the suffrage has done and is doing much for his protection and elevation is evident from the anxiety shown by all political parties to prove themselves his friend.

His progress under liberty may have disappointed some of his oversanguine friends, but in a still more marked way it has disappointed the expectations of those who opposed his freedom.

Dullness of intellect, a low state of morals, a want of thrift and foresight—all these were the inevitable results of generations of slavery, which afforded no incentive to the development of those qualities that make citizens independent, intelligent, and self-reliant. If the negroes had lost the passion for acquiring property, if they had shown themselves unwilling to work, neither liberty nor suffrage could have saved them. They would finally disappear, as the Indians are disappearing, and for the same reasons. But the evidences are increasing on every hand that they are successfully solving the problem of their own future by a commendable degree of industry and by very earnest efforts to educate their children. In these efforts they are outstripping the class known in the days of slavery as "the poor whites." While they and their political friends had the control of legislation in the Southern States vigorous measures were adopted to establish and maintain public schools, and though these efforts have been greatly discouraged by recent State legislation, their thirst for knowledge has not been quenched. There is every indication that in the next generation they will show a marked advance in intelligence.

They are acquiring property far more rapidly than their white neighbors expected. In the Freedman's Saving Bank alone, the failure of which was so

calamitous, they had deposited surplus earnings to the amount of \$3,000,000. They are gradually becoming owners of real estate and of comfortable homes. In one county of South Carolina they are now paying \$300,000 of taxes per annum, and this is neither an isolated nor an exaggerated example. In short, they are gradually gaining those two elements of power, "intelligence and wealth," which Senator Thurman says will in the long run control the politics of a community.

As an example of what the negro can do under more favorable circumstances than those which have existed in the South, I refer to the settlement of the Virginia Military Reserve in Ohio between the Scioto and Miami rivers. Late in the last and early in the present century many Virginia soldiers of the war of independence removed to their lands in Ohio. Most of them were antislavery men by conviction, and brought their slaves with them for the purpose of manumission. These negroes settled near their late masters, enjoyed their friendship and counsel, and did not encounter the prejudices of race and color which they might have met among men of northern birth. Under such conditions they have lived for two or three generations. There has been scarcely any admixture of blood and no serious collision of interests, and to-day in central and southern Ohio their descendants, to the number of several thousand families, rank fairly with other intelligent, respectable, and well-to-do citizens of the State, and are in all respects greatly superior to their Virginia ancestors.

Much as the negroes of the South have accomplished since emancipation, their most unfriendly critics will hardly venture to assert that they have had a fair chance to test the influences of freedom and citizenship. Our theory of government is based upon the belief that the suffrage carries with it individual responsibility, stimulates the activity, and promotes the intelligence and self-respect of the voter. To accomplish these results, the voter must be allowed to exercise his rights freely and without restraint.

Doubtless the mere property rights of the southern negroes are every year being more and more fully recognized by their white neighbors, but in many parts of the South it is the merest mockery to pretend that the suffrage has been free. The spirit of domination which slavery engendered has led a large portion of the white population to consider the effort of the negro to cast his ballot in his own way as an act of intolerable impertinence. Open violence, concealed fraud, and threatened loss of employment in many parts of the South have virtually destroyed the suffrage and deprived the negro of all the benefits which it was intended to confer.

Hitherto these outrages have been justified or excused on the ground that they were provoked by the interference of the national authorities with local self-government in the South, but during the past two years there has been no ground even for this poor excuse. And now we have a new ground of justification. A leading politician of Louisiana, testifying before the Teller committee a few days ago, declared that the murders and other acts of violence which attended the late election in that State were provoked by "incendiary speeches" of Republican leaders. In his cross-examination this witness favored us with his definition of political incendiarism. When asked to give examples, he cited the fact that a certain campaign orator "had referred to the old days of slavery, saying that old men who had been slaveholders and whose ideas were fixed in the past would not be as likely to respect the rights and advance the interests of the blacks as younger men, who had grown up under the new condition of affairs." Also, in discussing the industrial relation of the negroes to their employers, the incendiary orator told the negroes that "they were paying too high rent for land, often as much each year as the land would sell for." Such discussion the witness considered so dangerous as to justify the wrath and violence of the white population against the Republican party.

Until there is one acknowledged law of liberty for white and black men alike, it is idle to claim that the amendments of the Constitution are obeyed, either in spirit or letter, or that enfranchisement has had a fair trial.

The plea of "incendiary speeches" will not be accepted by a liberty-loving nation as a justification of murder, violence, or any invasion of the rights of citizens, however humble, however black. The wisdom of enfranchisement can not be impeached by prophesying in advance that it will prove a disastrous failure, and then endeavoring *per fas aut nefas* to make it a failure.

If the Democratic party does not disclaim and effectively resist such outrages and invasions of constitutional rights, we shall again witness the deplorable spectacle of parties—divided by geographical lines, a solid South and a united North—arrayed in political opposition.

Such a conflict will not only retard the advancement of the negro and delay the restoration of national harmony, but it will inflict immeasurable injury upon the social and business prosperity of the South itself. Emigration follows the path of liberty. Free and independent Americans will not voluntarily become citizens of a State in which full liberty of debate and of the ballot is not assured.

Since the war, it is probable that more emigrants from the North and from Europe have settled in Texas than in all the other Gulf States combined. And this is because the traditions and sentiments of the Texan people have been regarded as more favorable to freedom of personal opinion and political action than those of the people of neighboring Southern States.

If the policy of repression and exclusion, which unhappily prevails in most of the late slaveholding States, shall be maintained, each new census will disclose such a relative loss of population and wealth as will prove every way disastrous to their political influence and commercial prosperity. But parties will not always divide on the color line. I have no doubt that enlightened self-interest will ere long lead the people of the South to seek prosperity by making the suffrage in fact, as it already is in law, free and safe to all on whom the Constitution has conferred it. When that day comes, we shall enjoy a national unity which slavery would have made forever impossible; and the wisdom of enfranchisement will be fully vindicated. Beneficent as its results have already been, they are destined to be still more fruitful of good in the future.

In conclusion, I answer these questions by saying that on every ground of private right, of public justice, and national safety, the negro ought to have been enfranchised. For the same reasons, strengthened and confirmed by our experience, he ought not to be disfranchised. Reviewing the elements of the larger problem, I do not doubt that enfranchisement will, in the long run, greatly promote the intellectual, moral, and industrial welfare of the negro race in America; and, instead of imperiling the safety of our institutions, will remove from them the greatest danger which has ever threatened them.

JAMES A. GARFIELD.

Mr. STEPHENS: The questions submitted for inquiry and consideration in the paper now presented involve problems of the gravest and most interesting character that ever engaged the attention of philanthropists or statesmen.

It is not the purpose of the undersigned, in taking part in the discussion or in connecting himself with it, to enter at this time into a consideration of the merits in the abstract of either of these questions.

The great problem involved in the first is now in a state of solution, and it does not seem to be at all practicable or advisable, in the midst of this process, to be mooted or answering the reasons which led originally to the policy on which it was founded, or the propriety of its adoption.

The matter, according to Mr. Blaine's own assumption, has been settled beyond the power of even constitutional remedy. No arguments drawn ab inconvenienti are allowable; they are precluded by conclusions drawn ab impossibili. This is the announcement. Then why agitate or disturb it? Should it not, rather, be the object of all good citizens, of all parties, and all friends of humanity, whether originally favoring that policy or not, to give it a fair trial, with an earnest and hopeful effort for its success, leaving the future in this matter, as in other like problems, to take care of itself?

The discussion of these questions now, therefore, seems to be quite as irrelevant as impracticable. The undersigned, however, will avail himself of the occasion thus presented to make a few general observations upon the paper submitted:

1. Mr. Blaine, after thus setting forth the perfect inviolability of the right of suffrage, constitutionally secured to the colored man, uses these very notable words:

"In the meanwhile, seeing no mode of legally or equitably depriving the negro of his suffrage, except with unwelcome penalties to themselves, the Southern States as a whole—differing in degree, but the same in effect—have striven to achieve by indirect and unlawful means what they can not achieve directly and lawfully. They have, so far as possible, made negro suffrage of none effect. They have done this against law and against justice."

These are grave assertions. Where is the evidence to support them? On them issue is directly joined.

The charge in substance is that the Southern States as a whole, with common design, have striven to deprive the colored man of his right to vote by indirect and unlawful means. Wherein have "the Southern States as a whole," or a single one of them, done, or attempted to do, any such thing? States act by their legislatures, courts, and executives. Has it been by legislative acts, or executive acts, or judicial decisions? If so, the production of these high-handed usurpations is invoked.

The undersigned speaks mainly of his own State, Georgia. That wrongs, and great wrongs, have been committed by individuals at the polls in that State and in many of the Southern States, or perhaps all of them, he does not question—wrong to whites as well as blacks; but he does question if greater wrongs have been perpetrated in the Southern States in this respect than in the Northern States. "The world is a school of wrong," and skilled proficient "swarm about" everywhere. But that the Southern States, in whole or in part, in any way in which States can act, have ever arrayed themselves against their own constitutions and laws, to say nothing of Federal obligations, in an effort to deprive the colored man of the right to vote is utterly denied. It is true in Georgia, and perhaps in other States, the constitutional requirement of a poll tax of a dollar for school purposes does practically keep several thousand colored voters from the polls; but it is a provision wise and just in its objects, and applies equally to white and black. The constitutional provision, also, making conviction of felony a forfeiture of the franchise, is likely in its workings to exclude a much larger number of colored voters from the polls than whites; but no one questions the justice of such exclusion either of whites or blacks.

The constitution of Georgia, before the fifteenth amendment was even proposed, secured the right of suffrage to colored and white alike; and it has been the object of the State government in all its branches to maintain this franchise, in its purity and integrity, from that day to this. It was but yesterday the undersigned saw in the Augusta Evening News the charge of Judge Snead, of that judicial circuit, upon this very subject, an extract from which may not be deemed impertinent or irrelevant in this connection. It shows to what full, free, and even abusive extent the right of suffrage is carried in that State by the colored people. Here is the extract:

"After treating of general subjects prescribed by law, the judge gave the following strong points in reference to the freedom of the ballot at the recent elections. He said: 'Outside of all these, I desire to direct your attention to one section of the penal code, which was intended to guard the freedom of the elective franchise and the purity of the ballot box. It is section 4533, and is in these words: "If any person shall hereafter buy or sell, or offer to buy or sell, or be concerned in buying or selling a vote, or shall unlawfully vote at any election which may be held in any county of this State, such person shall be indicted for misdemeanor, and, on conviction, shall be punished by imprisonment and labor in the penitentiary for a term of not less than one nor more than four years."

"In this connection I read for your consideration extracts from our city papers, which profess to portray certain scenes at the last municipal election in Augusta:

"Money was freely exhibited and offered for votes, and as freely and as openly taken. The price of a vote ranged from 10 cents to \$5, according to the desire of the purchaser to obtain the vote and the estimate put by the seller upon the value of the franchise. Hundreds of votes were thus openly disposed of in plain view of everybody. In some instances the voter held the ballot at arm's length with one hand and held out the other for the money which was to pay for his vote." (Chronicle and Constitutionalist.)

"The election day has passed, and with it a day has gone to record that will stand as a foul stain upon the fair name and reputation of a city grown old in honor, and up to yesterday unsullied by the bold hand of barefaced bribery and open corruption. Votes were openly bought and sold with money and whisky as a price—one hand holding the vote and the other stretched out for the reward." (Evening News.)

"I know not whether this is true, but it has been published as a part of the history of this our day and generation. It could not have escaped the observation, and must have excited the solicitude, of many good citizens. If true, it is a sad commentary upon the corruption of the times, when the purity of the ballot box is thus violated in the broad light of day; when the elective franchise is made a purchasable commodity, and voters are bought and sold as so many herds of cattle. The whole theory of our Government is in the opposite direction. It rests upon the free consent of the governed. This, at least, should be the practice in every department, from the Federal head at Washington, through the various ramifications in the States, down to the humblest municipality. The liberty of the citizen, the security of property—aye, the whole fabric of society rests for its base upon the free, unbought suffrages of the people. * * * Present all parties implicated, whether high or low. * * * Let your investigation be strictly impartial—not confined to one, but extend to all sides—and if your sword, like that which flamed at Eden's gate, turns a double edge, let the great blow fall."

This record of one of our judges truly exhibits the tone of the judiciary throughout the State of Georgia. It is needless to add, perhaps, that the votes which were so openly sold in the market were chiefly, if not entirely, those of the lowest class of the colored race. The same is true of the elections held near the same time in Atlanta, Macon, and other parts of the State, according to newspaper accounts.

2. Mr. Blaine clearly intimates his own belief, as well as that of other original advocates of the enfranchisement of the colored race, that "negro suffrage has failed to attain the ends hoped for when the franchise was conferred * * * failed to achieve anything except to increase the political weight and influence of those against whom and in spite of whom his enfranchisement was secured."

Pray, what were the ends thus hoped for? Without extended comment on these sentences, as to the character of the motives actuating some, at

least, of the original advocates of "negro suffrage," which are very apparent from the entire passage, it may be pardonable to say that perhaps the present gravamen with them is that the colored man does not vote as they expected him to vote; perhaps they may also see from the exhibitions referred to in Augusta, Atlanta, Macon, and in other places, that their votes are much more easily controlled by money than they supposed they would be. If this be intimidation and depriving the colored people of the inestimable right of voting, then it must be admitted that it is carried to a lamentable extent in Georgia, if not in other States, and can only be prevented by such enforcement of our State laws as Judge Snead invokes. It can not be remedied, as far as the undersigned sees, by any proper action of Congress.

8. Mr. Blaine says:

"The fourteenth amendment was designed to prevent this [that is, the increased representation of the Southern States in Congress, on the emancipation of those at the South who previously owed service for life], and, if it does not succeed in preventing it, it is because of evasion and violation of its clear provisions and of its plain intent. Those who erected the Confederate government may be in exclusive possession of power throughout the South; but they are not so fairly and legally; and they will not be permitted to continue in the enjoyment of political power unjustly seized—and seized in derogation and in defiance of the rights not merely of the negro, but of the whites in all other sections of the country."

What is really meant here by the reference to the intent of the fourteenth amendment and the enjoyment of "political power unjustly seized—seized in derogation and defiance of the rights not merely of the negro but of the whites, in all other sections of the country," by no means clearly appears. Explanation is wanted.

When and where has any Southern State unjustly seized any power or exercised any which is not clearly reserved to it in the Constitution? The real trouble seems to be this:

After all the clamor against the slave power, so called, under the Constitution, before the war, growing out of the three-fifths basis of representation, it was found that, on the adoption of the thirteenth amendment abolishing slavery, thirty-five Representatives were thereby added to the South in Congress; and that, so far from the three-fifths feature of the Constitution being an augmentation of the political power of the South, it was actually a diminution of that power to the extent of two-fifths of their colored population. It was then that an attempt was made, by the fourteenth amendment, to deprive the Southern States of this increase of political power, which they by no means seized or attempted to seize, but which came to them rightfully under the Constitution. This attempt, as has been stated, failed of its object by the Southern States putting suffrage upon an equal footing between the blacks and whites.

Mr. Blaine says that the clear intent and express provisions of the fourteenth amendment have been evaded and violated by the Southern States.

Where is the proof to sustain this assertion? Is not the constitutional right of voting secured as amply to the colored people in the Southern States as in the Northern? If not, let proofs to the contrary be adduced. The question is not as to the wisdom of such policy, but as to the existence of the fact.

The public mind seems to be somewhat in a cloud upon this subject of representation, and the grounds upon which the colored population were rated in the Federal basis, as five blacks to three whites, or what is known as the "three-fifths basis."

Before the war the idea seemed to be industriously inculcated in certain sections of the country that it was a grant to the South of property representation in their slaves. No greater error ever existed in the popular mind. This three-fifths principle was first agreed on in Congress under the old Ar-

ticles of Union of the States, known as the first Constitution, in 1783. The history of it is this: There was not any power under the Constitution as it then existed to collect taxes by impost or by any direct means, and the quota of each of the States was apportioned first upon land valuation in the respective States. This was found to work unjustly, and it was afterwards determined that the best basis of taxation was population. But it was insisted that the black population was not so efficient in the production of wealth, which should be the criterion in taxation, as the whites, and it would be unjust to make the basis of the quota of each State upon its population, without considering the character of its population. Some maintained that one white man's labor was more productive than that of four blacks, some three, some two. It was eventually agreed, on the motion of Mr. Madison, that three-fifths should be the ratio, thus cutting off two-fifths of the black population. This feature, thus originating in the Congress under the old Constitution, was incorporated into the new one, formed in 1787. It was then thought that the revenue would continue to be chiefly derived from direct taxation, as it had been under the old organization. This feature was thus retained at that time upon the principle that taxation and representation should go together. Very soon, however, the revenues were chiefly raised from imposts, and hence the Southern States, for all practical purposes, lost that power in legislation to which they would have been justly entitled upon the principle of representation in accordance with population.

After emancipation, in 1865, the two-fifths restriction ceased to exist, as a necessary result. The entire population of the Southern States then entered into the count for apportionment, as well as the entire population of the North. The Southern States therefore came into the enjoyment of this increased political power not by seizure, but by constitutional right, and they can not be deprived of it except by a wrong not less atrocious than the most wanton and illegal seizure could be.

4. Mr. Blaine seems to maintain that it was the main object of the fifteenth amendment to secure the right of suffrage to the colored race.

To a great extent this may be granted as true, and yet not to the extent which he would seem to argue. That amendment conferred no right of any kind. It was only intended to restrain the States and the United States from denying or abridging the right of suffrage on account of "race, color, or previous condition of servitude." The words are: "The rights of citizens of the United States to vote shall not be denied or abridged by the United States, or by any State, on account of race, color, or previous condition of servitude." This is but an additional covenant between the States, imposing restraints and obligations upon themselves, and of course takes its place alongside other similar constitutional provisions restraining the power of the States. No State, under this provision of the Constitution, can make any discrimination as to the right of suffrage within its limits "on account of race, color, or previous condition of servitude," nor has any State, South or North, within the knowledge of the undersigned, made any such discrimination.

If there have been violations of the right of suffrage on the part of individuals by intimidation, force, violence, or bribery (which is by no means denied), the remedy under the Constitution is a plain one, and the undersigned believes that the remedy through the courts would be as strongly enforced in the South as in the North. In elections to Congress each House is the sole judge of the election and returns of its own members.

If a State were to pass a law making a discrimination, the State courts, as well as the Federal courts, would of course hold such a law to be unconstitutional. This prohibition against discrimination by any State in the matter of suffrage is analogous to the prohibitions against any State passing ex post facto laws or laws impairing the obligation of contracts, etc.

The remedy in all such cases is through the courts. The position of Mr.

Blaine, that Congress, under its power of "appropriate legislation" to carry out all the provisions of the Constitution, can take jurisdiction of this clause of the Constitution in any way different from what is proper in the other prohibitions against the States, can not be successfully maintained. The true remedy for all these evils, wherever they exist, North or South, is in the courts, under such laws as Congress may find it necessary to pass for the protection of rights, within its limited jurisdiction and specified powers.

ALEXANDER H. STEPHENS.

Mr. PHILLIPS: Negro suffrage has not been a failure. Only the merest surface judgment would so consider it. Though his voting has been crippled and curtailed throughout a large part of the South during half the time he has been entitled to vote, the negro has given the best evidence of his fitness for suffrage by valuing it at its full worth. Every investigation of southern fraud has shown him less purchasable than the white man. He has wielded his vote with as much honor and honesty—to claim the very least—as any class of southern whites; even of those intellectually his superiors. For nine fearful years he has clung to the Republican party (which at least promised to protect him) as no white class, North or South, would have done. Want and starvation he has manfully defied, and asserted his rights till shot down in their very exercise. Where to-day is the northern white class that would have clung to a party or principle in such peril or at such sacrifice? If any man knows of such, let him testify. I have known northern politics reasonably well for forty years, and my experience has shown me no such northern politicians.

In lawmaking the negro has nothing to fear when compared with the whites. Taking away the laws which white cunning and hate have foisted into the statute book, the legislation of the South since the rebellion may challenge comparison with that of any previous period. This is all due to the negro. The educated white Southerner skulked his responsibility. Either the negro himself devised those laws, or he was wise enough to seek and take the good advice of his friends. When some one told Sully that Elizabeth was not able, but only chose able advisers, "Is not that proof of the greatest wisdom," said the sagacious minister of Henry IV. They say negro legislatures doubled the taxes. Well, there were double the number of children to be educated and double the number of men (one-half of them previously things) to be governed and cared for.

The South owes to negro labor and to legislation under negro rule all the prosperity she now enjoys—prosperity secured in spite of white ignorance and hate. The negro is to-day less ignorant, superstitious, and helpless than the same class of southern white men; yes, than a class of whites supposed to be immeasurably his superiors.

The South would not have disfranchised the negro if his suffrage had been a failure. Its success is what she fears and hates. When lawless and violent men attack any element of law and civilization, and can only succeed by destroying it, does not that very assault prove the value and efficiency of that obstacle to their lawless purpose?

Negro suffrage gave the helm to the Republican party when it represented a principle—that was intelligent. It stood firmer against bribery than other Southerners—that was honest. It vindicated the negro's fitness for legislation—that scattered the fogs about negro inferiority. It educated the negro more and more every day, and was fast bringing him to a level with the whites of the best class—that was death to southern dreams of future rule and treason.

In those States where either circumstances or the nation have secured the negro anything like fair play, his suffrage has been a marked success.

If negro suffrage has been in any particular or respect a failure, it has not been the negro's fault, nor in consequence of any want or lack in him. If it

has failed to secure all the good it might have produced, this has been because of cowardice, selfishness, and want of statesmanship on the part of the Government of the United States. While squabbling over the loaves and fishes of office, we have allowed our only friends and allies to face the fearful dangers of their situation—into which we called them in order to save the Union—without the protection of public opinion, or of the arm of the Government itself. We have believed every lie against them; fraternized with unrepentant rebels; and on the Senate floor clasped hands dripping with the negro's blood—blood shed because, without sympathy or support from us, the negro wielded his vote so bravely and intelligently as to make the enemies of the Union tremble. Does any man imagine that Senator Hamburg Butler shoots negro voters because he fears they will not rule South Carolina intelligently?

Negro suffrage has not, therefore, been a failure, even in any trivial degree, from any lack of courage, intelligence, or honesty on his part. And let it be remembered how early the Ku-klux assaulted him; how incessant have been the attacks upon him all these years; how brave and unquailing has been his resistance. Let it be kept in mind also that, meanwhile, one-half of the journals of these forty States have been against him, and seventh-tenths of the Federal officers and the whole organized power of the white South. All this while the negro has accumulated property, risen in position, advanced marvelously in education, outrunning the white man in this race. He has proved himself equal to any post he has gained. On the floor of Congress the southern white has more than once quailed before negro logic, sarcasm, and power of retort. Nothing has checked his progress or put him down but a hundred lawless armed men assailing at midnight single men unarmed and at disadvantage. And let it be also kept in mind that this same lawlessness has shut up courts, silenced white Republicans, scattered their conventions, suppressed journals, and driven merchants from southern cities; so that yielding to it argues no cowardice in the negro, since the white of every profession, class, and grade shares in the same humiliation.

Does any man advise the disfranchisement of the white Republican because his voting is (to quote Mr. Blaine's picture) "a challenge to the Democrats in which he is sure to be overmatched, and his disfranchisement would remove all conflict and restore kindly relations between the two political parties!"

These considerations show the negro's fitness for the vote, and therefore that he ought to have been enfranchised.

Every consideration of policy and statesmanship demanded his enfranchisement, the negro being the nation's only ally in an enemy's country. Everything, therefore, that helps him strengthens the Union. Equality of condition breeds self-respect. Responsibility is God's method of educating men, making them sagacious, prudent, calm, and brave. Power insures consideration to its possessor. When a vote in the House of Commons added half a million to the number of British voters, Lord John Russell sprang to his feet and exclaimed, "Now the first anxiety of every Englishman is to educate the masses!" It was their having the vote, and so endangering the State, which awakened that anxiety.

Then, again, while the negro remained without the suffrage it was a logical inconsistency under our Constitution. The popular mind frets at any such inconsistency. It was such intellectual and moral fretting against a logical inconsistency—slavery—that provoked the antislavery movement and gave it strength. To have prolonged such a state of things after the war ended would have been sure to have stirred angry debate. It was therefore wise and necessary to avoid this danger. Finally, the exercise of suffrage is the only sufficient preparation for it. You might as well postpone going into water until one has learned to swim as to put off granting suffrage until all the world agrees that a man is fit for it.

When the North, therefore, gave the negro the vote it did all law could do to

close the war between the two civilizations, the barbarism of the South and the industrial and equal civil polity of the North. Of course this was the highest wisdom as well as simple justice.

After the negro has used his vote as honestly and intelligently as the average Northerner, and more bravely, shall we withdraw it because the caste prejudice, that hates him and dreads it, lives "unharmoniously" in its sight? And surely it would be absurd and a foul disgrace to take it from him for the single reason that this present Administration of our Government can not protect him in its exercise! Would you break up a good locomotive merely because one raw and blundering engineer proved himself incapable of running it?

Every man sees now what a few men saw ten years ago (and I am glad I was one of those few, ridiculed as we then were), that to enfranchise the negro, without doing all the nation could to insure his independence, was a wrong to him and disastrous to us.

Treason should have been punished by confiscating its landed property. We all see now that magnanimity went as far as it safely could when it granted the traitor his life. His land should have been taken from him; and, before Andrew Johnson's treachery, every traitor would have been only too glad to have been let off so easily: that land should have been divided among the negroes, forty acres to each family, and tools—poor pay for the unpaid toil of six generations on that very soil. Mere emancipation without any compensation to the victim was pitiful atonement for ages of wrong. Planted on his own land, sure of bread—instead of being merely a wage-slave—the negro's suffrage would have been a very different experiment.

Then, again, those States should have been held as Territories (which United States authority could enter and rule directly, and without troublesome questions) until a different mood of mind among the whites, and the immigration of northern men, wealth, and ideas made it safe to trust that section with State governments. In his last years the late Vice-President, Henry Wilson, confessed to me that this was the great mistake in that national settlement. His only excuse was that the Republican party did not dare to risk any other course in the face of Democratic opposition, which only means that the nation was not ready for the statesmanship the time demanded. But this surely was not the negro's fault, and he should neither be blamed nor visited with disfranchisement because we were unready, cowardly, and incompetent.

But there is no need even now of bating one jot of hope. The United States Government is amply able to protect its own citizens. Put a man into the Executive chair and there will be peace at the South—not as now, the despot's peace, when "order reigns in Warsaw," but quiet homes, streets free from bloodshed, and each man safe and unmolested while he exercises all a citizen's rights.

Mr. Blaine has made it clear that no right in this country is more completely guaranteed than the negro's right to vote. It is hard to imagine any eclipse of public honor so dark as to make his disfranchisement possible. But men who have seen the Dred Scott decision and slave hunts in northern cities—defended and welcomed by journals and pulpits—who have seen Webster bow his majestic fame, and Clay try to barter his early good record for infamous success, may well hesitate to say that any baseness or sycophancy in a matter touching the negro is impossible. The South will probably never, by law, disfranchise the negro while she remains in the Union. But the South does not, practically, disfranchise him now from petty spite. It is a well-matured plan. She purposes to rule this nation or break it. In her present mood union between her and the North is as impossible as between Germany and France or Austria and Italy. Until northern men, capital, and ideas permeate the South that mood will perpetuate itself.

But right is stronger than wrong. Barbarism melts and crumbles before civilization. The South can build no wall high enough, she can enact no law bitter enough, to bar out the nineteenth century. Even isolated Cuba has no tariff rigid enough to keep out justice. The Indian, with right on his side, and so alert that he makes it cost the United States \$1,000,000 to kill an Indian in war, can not resist the wave of civilization. Equally impotent is the South. Whether under our flag or outside of it, she will, in time, recognize the laws of industrial civilization, and accept justice as a good bargain long before she is virtuous enough to see its righteousness.

WENDELL PHILLIPS.

Mr. BLAIR: The negro ought to have been given the franchise if capable by nature of exercising it. If not, it ought not to have been conferred, and ought to be withdrawn. Hence the two questions presented are but one in substance. It ought to surprise no one that this question is likely to occupy the public attention again. The subject of the abolition of slavery occupied the public mind during many years, and was thoroughly discussed before it was acted upon; and no one now denies the wisdom of the decision made upon it. But the question of negro suffrage was discussed very little before the people prior to its decision; and neither the Congress which proposed nor the legislatures which adopted the amendment were elected with reference to the question. And this is equally true of the Congress which passed the reconstruction act, by which negro suffrage was imposed upon the Confederate States, and by which the adoption of both the fourteenth and fifteenth amendments was secured.

It is certainly proper for the people to reconsider a measure adopted so precipitately for the purpose of enabling one section of the country to hold the other in subjection, in violation of the Constitution and of the fundamental principle of local self-government, and which has never had the sanction even of the northern people in any form, for the power to accomplish it was obtained from them by denying that any such action was contemplated.

Having been accomplished according to the forms of law, it is the Constitution, and can only be revoked by observing the same forms; but if negro suffrage is pernicious to the public welfare, degrades suffrage, fosters corruption, defeats responsibility, strengthens the money power, and endangers the liberty of the race which established representative government, and so far alone has shown capacity to maintain it, that capacity itself gives absolute assurance that it will be revoked.

Nor will it be long before the subject may be properly considered. The escape of the Southern States from the thralldom which negro suffrage was devised to impose upon them has defeated the object for which it was devised, and its authors now find that, instead of being an instrument to perpetuate their power, it serves only to increase that of their adversaries. They still clamor about outrages upon it; but this is only to arouse the jealousy of the North to consolidate it against the power they have strengthened at the South. If defeated in this, the sectional issue will be eliminated from our politics, and the subject of negro suffrage will cease to have any relation to sectional power and national politics, and will probably be allowed to be considered upon its merits by the communities affected by it. In that event, the only advocates of negro suffrage will be the representatives of the planters and other possessors of wealth, who will control their labor and their votes. They alone will have any political interest to promote by maintaining it.

Our fathers, North and South, were all emancipationists, and refused to put the word "slave" in the Constitution, not wishing a trace of it to appear in that instrument; but not a man among them contemplated making the negro a voter. Mr. Jefferson, who predicted that slavery would go out in

blood unless provision was made for emancipation, saw also that the races could not live together as equals. "Nothing is more certainly written in the book of fate," he said, "than that these people are to be free; nor is it less certain that the two races, equally free, can not live in the same government. Nature, habit, opinion, have drawn indelible lines of distinction between them. It is still in our power to direct the process of emancipation and deportation, and in such slow degree as that the evil will wear off insensibly, and their places be filled up, *pari passu*, by free white laborers. If, on the contrary, it is left to force itself on, human nature must shudder at the prospect held up." Prior to the war, Jefferson was the recognized exponent of the true principles of our Government, in theory and practice. He had extinguished the opposing party, and every succeeding Administration professed to be guided by his principles. And his counsel would have been followed with respect to slavery, as it had been upon other important subjects, but that a new prophet arose in the South, who, by firing the hearts of its politicians with a fatal ambition in connection with it, so changed the morale of Jefferson's party as to make slavery its most powerful element, and his teachings on the subject to be pronounced "folly and delusion," and slavery, instead of being "a moral and political evil," as he had taught, and as hitherto universally held at the South, became "the most safe and stable basis for free government in the world." We know the result.

Is there any better reason for accepting the new revelation declaring it to be "folly and delusion" to say that nature has drawn such indelible lines of distinction between the black and white races that they can not live as equals in the same government, if that government is to be a free government? It was inspired by the lust of sectional power, and relies for success upon the triumph of military over civil institutions. It was established by the sword, in violation of the Constitution. More than half the white people were disfranchised, and all their leading men and the blacks, numbering 4,000,000, were given more votes than the whites, numbering about 8,000,000—the official returns of registration in nine of the States giving the blacks 681,746 votes and the whites 585,769. General Grant, under whose direction the work was done, reported that the combined negro vote was indispensable; that the negroes were incapable of making that combination of themselves, and that the whites sent there from the North to direct that combination could not remain there for that purpose unless supported by the Army. The military became the governing power. The part of the negro was that of "dummy" in the game. They were beaten at all points without regard to numbers, except where the military and United States deputy marshals took charge and voted them. Negro suffrage has, in fact, never existed. It has been only an expensive process of registering and supervision by the military to have pieces of paper put in their hands and deposited as directed by the white men sent down to combine and lead them.

These were, necessarily, persons of the worst class; and the result was the most disgraceful chapter in our history. The votes of the blacks, which made the Republican candidate President, installed these harpies in the government of the States; they loaded the States with \$200,000,000 of debt, while exacting the most exorbitant taxes from the impoverished people, and gave entire immunity to crime. The demoralization thus infused into our system infected the Federal Government. The enormous expenditure during Grant's two terms—being, exclusive of all payments growing out of the war, greater than the expenditure from 1789 to 1861, including that on account of the war of 1812, the Algerine war, the Mexican war, all our Indian wars, and the purchase money of Louisiana and Florida—is traceable to the irresponsible government thus established. And so is the corruption which has pervaded the Government, not yet fully exposed, but which the whisky ring,

the Indian ring, and the multitude of similar blotches accidentally brought to the surface show to have permeated all Departments.

The British Government learned from the American Revolution what, in their eagerness for power, our Republican politicians lost sight of—that it was “neither possible nor desirable” to govern the English-speaking race against their will. And hence, instead of suppressing representative government in Canada after the rebellion, as our rulers did in the South, Earl Grey, in his instructions to Lord Elgin, the Governor-General, said that “it could not be too distinctly understood that it is neither possible nor desirable to carry on the government of any of the British provinces in North America in opposition to the opinion of its inhabitants.” To shame the great Republic and to foment discord in it, the blacks in Jamaica were also enfranchised to elect a Parliament, while all the workingmen in England were denied that privilege; but the incapacity of the negro for that function was so fully demonstrated that it had to be withdrawn. This fact ought to silence those among us who, for mere party objects, have lately echoed the ruling class in England in attributing the universal repugnance of our people, North and South, before the war, to mere pride of race. Having tried the experiment themselves where there was no race conflict, and found it a lamentable failure, they have themselves vindicated the wisdom of our fathers and the good sense of our people.

Many honest and true men have been persuaded that it was necessary to give the ballot to the negro to secure him his freedom. They assumed that he could acquire the knowledge and character which qualified him to use it. Knowledge sufficient he might acquire, but not the independence and the self-reliance. It was for want of these qualities that he was for centuries an hereditary bondman in America, and did not himself strike the blow which made him free. Indeed, all the acts passed to make him a voter, from the reconstruction to the enforcement act, and all the speeches of their advocates, recognize his want of every essential quality of a voter by treating him as not fit to be the master, but only to be the ward of the Government. On this theory the Freedman's Bureau was established to remove him from the influence of the white race, General Grant empowered to sustain the men sent to mass them against the white people, and for this reason it is assumed that the Republicans can not be legally beaten where the negroes are in the majority. The Republicans knew that the race which takes so largely the direction of public affairs of this continent would control the negro unless the Government interposed to prevent it. And the recovery of political power in all the Southern States, in spite of this interposition, shows that he is more feeble than he was accounted.

And the fact that Wade Hampton had 5,000 blacks, uniformed with red shirts, marching in procession during his canvass for governor in 1876, received all the votes for that office in 1878, and all but two for Senator in 1879, will satisfy any mind open to the truth that this is not due to intimidation.

Hampton is the type of a class to whom the negro naturally gives fealty; and enfranchisement will, for a time at least, be a grant of vast political power to them when the northern politicians shall discontinue the attempt to use him as the instrument of their power, and make it possible for the local politicians to avail themselves of his aid. Hampton, the boldest of this class, long ago avowed his pleasure at the grant, and has availed himself of it. Others will soon follow his example.

As it is manifest that, as followers of this class, the negro can be better protected than as the instrument of northern dominion over the people of the South, it ought to be the policy of all who have any true feeling for him to discountenance the new crusade which the northern politicians are preparing to preach in 1880. But while under the guidance of a class of leaders who are responsible to public opinion, they could be trained, if it were possi-

ble to train them at all, to the exercise of government, no such result can be expected. It would be as reasonable to expect them to develop wings by training. The negro is not of a self-governing nature. He is of the Tropics, where, as Montesquieu observes, despotism has prevailed in all ages. His nature, of which this form of government is the outgrowth, is not changed by transplanting, more than that of the orange or the banana. Hence, to incorporate him in our system is to subvert it. His nominal enfranchisement is but a mode of disfranchising the white man, and makes them equals indeed, but only as the subjects of irresponsible power. For this reason Mr. Jefferson believed it would not be submitted to. We have seen that he understood the American people better than Mr. Calhoun. It remains to be seen whether he knew them better than Mr. Thaddeus Stevens.

MONTGOMERY BLAIR.

Mr. HENDRICKS: The editor of the North American Review has asked me to express some views upon Mr. Blaine's article on the questions, "Ought the negro to be disfranchised? Ought he to have been enfranchised?" and also my views upon the questions themselves. It is almost impossible for me to comply with this request. I am in Washington for a few days only, and my engagements will not allow me to attempt a review of Mr. Blaine's article. Upon the two questions I can only express my opinions, without much argument or illustration.

It is not yet ten years since the right to vote was conferred upon the negro by constitutional provision. That period is too short to allow such test of the wisdom of the measure as would justify its abrogation. The constitutional amendment is supposed to have been the deliberate and well-considered act of the people. It must not be regarded as an ordinary legislative measure, to be repealed or modified "for light and transient causes." To make such a change of the Constitution because an election in one section of the country has not resulted as some might have desired or expected is to treat the most solemn act of the people with contempt, and to weaken the force and impair the authority of the Constitution itself. Opposition to negro enfranchisement ten years ago does not now require an effort to strike the fifteenth amendment from the Constitution. Any provision of the Constitution should be regarded as fixed and permanent, and not to be disturbed except upon the test of such experience as would justify a change of Government itself because of great and permanent evils. It was not reasonable to suppose that the two races would at once and without discord adjust themselves to the new relations prescribed and fixed by the constitutional amendments. In the establishment of civil and political changes so radical and extended, strife and discord for a time were inevitable.

The experiment by which the negro is now being judged has not been a fair one. When enfranchised, he was made to feel that he owed servitude to a party; through the agency of United States officials and of the Freedmen's Bureau, and by means of secret leagues, the entire negro vote was consolidated into a party inspired by a distrust of, if not hostility to, the white race. The color line was distinctly drawn. They were taught to distrust every suggestion made by their former masters for their political welfare, and to give their utmost confidence and support to a class of men who most unscrupulously used the power so acquired to promote their own selfish ends. The result was the introduction in many Southern States of the most objectionable practices. Bribery and corruption fastened themselves upon the public service. The State governments became the worst possible. The increase of State indebtedness was frightful. Taxation threatened to swallow up not only the earnings, but also the accumulations of the people. Men contemplated approaching ruin with horror. Judged by these results, negro enfranchisement was worse than a failure, it was a gigantic evil.

In that condition of the country excesses and abuses did unquestionably occur. No foresight, no patience, no policy could have averted them. The

fierceness of the struggle for better government was necessarily proportioned to the enormities that were practiced upon the people. The efforts of the people to promote their own welfare soon passed from personal conflict and neighborhood struggle to the adoption of measures and policies of safety and reform. The colored people were appealed to. They were told that their own welfare, as well as that of the white race, required economy and reform; that the value of the products of their labor depended upon measures that would reduce taxation. These appeals were heard and heeded. In great numbers, by their influence and their votes, they contributed to the changes in men and measures that experience has shown were essential to the welfare of all classes, especially of producers.

Perhaps in this connection it is proper to refer to the State of South Carolina as an illustration. Next to that of Louisiana, her government was the worst and the condition of her people the most intolerable. Her present able chief executive, in his canvass for the office, addressed the colored voters in the language of argument and of patriotic appeal. He and his cause proved stronger than party control. They came to his support. They contributed to his election. Without their help, no change could have occurred. The reform that followed was complete. The men who had ruled and ruined the State, and who had oppressed all her industries, met their just punishment in prison or sought safety in flight. Honesty took the place of fraud, and economy displaced profligate expenditure.

Judged by such results, negro enfranchisement is not altogether a failure. The results in Georgia are equally instructive. The evil influences that controlled the negro vote in other localities were never so strong in that State, and at an earlier day legitimate and good authority prevailed. A beautiful illustration of the harmony that has come to exist between the races occurred in one of the cities of that State but a week since. The negro vote had contributed to the election of an able Representative in Congress. He died, and, when his remains were taken home for interment, they who had helped to elect helped also to bury him. They appeared in the funeral procession in organized companies of the militia, in full uniform, and carrying the arms of the State. At the polls and at the grave the races united in the expression of confidence and in tributes of respect toward one whose family was connected with the history of the State. It is a pleasing reflection that when thus restored to its proper condition society has become relieved, in a great degree, of the strife and bloodshed that attended the government of the people of the States by outside power.

It is but recently that we have heard the demand for the withdrawal of the right to vote from the negro, and for a reduction of the representation allowed to the Southern States. The demand comes only from those who relied upon their power to control him as a political machine. It can not be said that his late independent action in harmony with that of the white people is wrong. Beyond dispute it was well for all the people of South Carolina, both white and black, and for the people of the whole country, that Governor Hampton was successful, and that the corrupt power was overthrown. Peace is assured. Labor is secure and encouraged. Calmly, quietly, and intelligently a large body of the negroes have joined the whites to correct intolerable evils. This was fully and well stated by a late colored United States Senator from Mississippi, in a letter written to the President shortly after the bad government had been overthrown in that State. The "Solid South" is the result of the union and harmony of the races, and of their united effort for economy and reform.

I am not able to see why the subject of negro suffrage should be discussed. It must be known to all that the late amendments will not be, can not be, repealed. There is but the duty upon all to make the political power now held by the enfranchised race the cause of the least evil, and of the greatest possible good, to the country. The negro is now free, and is the equal of the

white man in respect to his civil and political rights. He must now make his own contest for position and power. By his own conduct and success he will be judged. It will be unfortunate for him if he shall rely upon political sympathy for position, rather than upon duties well and intelligently discharged. Everywhere the white race should help him, but his reliance must mainly be upon himself.

THOMAS A. HENDRICKS.

[Conclusion.]

MR. BLAINE: At the instance of the editor of the North American Review, and not by request or desire of mine, the brief article which I wrote in regard to negro suffrage was submitted to the gentlemen who have replied to it, and in turn their articles have been submitted to me. I have now the privilege of rejoinder, and the whole series of papers thus assumes the phase of a connected discussion.

With the exception of Mr. Wendell Phillips and General Garfield, the replies are from gentlemen identified with the Democratic party, and distinguished and influential in its councils. General Garfield is a Republican, and has taken prominent and honorable part in all the legislation respecting negro suffrage. His views are so entirely in harmony with my own that nothing is left me but to commend his admirable statement of the case. Mr. Phillips is neither a Republican nor a Democrat, but reserves to himself the right—a right most freely exercised—to criticise and condemn either party with unsparing severity, generally bestowing his most caustic denunciation upon the party to which he most inclines. It is by this sign that we feel occasionally comforted with the reflection that Mr. Phillips still has sympathies with the Republican party, and still indulges aspirations for its ultimate success.

The arraignment of the Republicans at this late day by Mr. Phillips, because they did not reduce the Confederate States to Territories and govern them by direct exercise of Federal power, is causeless and unjust; and it can not certainly influence the judgment of any man whose memory goes back to 1866-67. For I assume that if anything, not capable of demonstration, is yet an absolute certainty, it is that such an attempt by the Republican party would have led to its utter overthrow at the initial point of its reconstruction policy.

The overthrow of the Republican party at that time would have restored the Confederate States to full power in the Union without the imposition of a single condition, without the exaction of a single guaranty. All the inestimable provisions of the fourteenth amendment would have been lost; its broad and comprehensive basis of citizenship; its clause regulating representation in Congress and coercing the States into granting suffrage to the negro; its guaranty of the validity of the war debt of the Union and of pensions to its soldiers and their widows and orphans; its inhibition of any tax by general or State government for debts incurred in aid of the rebellion or for the emancipation of any slave. These great achievements for liberty, in addition to the fifteenth amendment, would have been put to hazard and probably lost, could Mr. Phillips have had his way, in a vain struggle to reduce eleven States—four of them belonging to the original thirteen—to the condition of Territories; thus committing the General Government to a policy as arbitrary and as sure to lead to corruption and tyranny as the proconsular system of Rome.

And as if the Territorial policy were not enough to have destroyed the Republican party at that time, Mr. Phillips would have plunged us into the wild, visionary, and unconstitutional scheme of confiscating the land of the rebels and giving it to the freedmen. Confiscation laws were passed by Congress during the hottest period of the war; but even then, when passions were at the highest, no enactment was proposed which did not recognize the express

limitation of the Constitution that in punishing treason there should be no "forfeiture except during the life of the person attainted." The Republican party has been flippantly accused by its opponents of disregarding the Constitution, but I venture to say that there is no parallel in the world to so strict an observance of written law during a critical and mighty war as was shown by the Republicans throughout the protracted and bloody struggle that involved the fate of free government on this continent. It is impossible, therefore, that the Republican party could have adopted the policy which Mr. Phillips commends; and impossible that it could have succeeded if the attempt had been made.

Of the replies made by the other gentlemen, identified as they have been and are with the Democratic party, it is noteworthy that, with the exception of Mr. Blair, they agree that the negro ought not to be disfranchised. As all of these gentlemen were hostile to the enfranchisement of the race, their present position must be taken as a great step forward, and as an attestation of the wisdom and courage of the Republican party at the time they were violently opposing its measures. This general expression leaves Mr. Blair to be treated as an exception, and for many of his averments the best answer is to be found in the suggestions and concessions of his Democratic associates. I need not make an elaborate reply to Mr. Blair, when he is answered with such significance and such point by those of his own political household. It is one of the curious developments of political history that a man who sat in the Cabinet of Abraham Lincoln and was present when emancipation was decreed should live to write a paper against the enfranchisement of the negro, when the vice-president of the rebel confederacy and two of its most distinguished officers are taking the other side!

Of Governor Hampton's paper it is fair to say that it seems to have been written to cover a case; its theory and application being adapted to the latitude of South Carolina and to his own political course. Mr. Hampton is a man of strong parts, possessing courage and executive force, but he has been in the thick of the fight, and has had personal ambitions to gratify which may not place him in history as an impartial witness. His personality protrudes at every point, and his conception of what should be done and what should be undone at the South is precisely what is included in his own career. When Mirabeau was describing all the great qualities that should distinguish a popular leader, the keenest of French wits said he "had forgotten to add that he should be pockmarked."

Mr. Lamar offers a contrast to Governor Hampton. He generalizes and philosophizes with great ability, and presents the strange combination of a "refined speculatist," and a trustful optimist—embodying some of the characteristics of Mr. Calhoun, whom he devoutly followed, and of Mr. Seward, whom he always opposed. Mr. Lamar is the only man in public life who can be praised in New England for a warm eulogy of Charles Sumner, and immediately afterwards elected to the Senate as the representative of the white-line Democrats of Mississippi. And yet, inconsistent as these positions are, it is the dream of Mr. Lamar's life to reconcile them. He is intensely devoted to the South; he has generous aspirations for the Union of the States; he is shackled with the narrowing dogma of State rights, and yet withal has boundless hopes for an imperial republic whose power shall lead and direct the civilization of the world. Hedged in by opposing theories, embarrassed by forces that seem irreconcilable, Mr. Lamar, probably more than any other man of the Democratic party, gives anxious and inquiring thought to the future.

Of Mr. Stephens and Mr. Hendricks it may be said that in their treatment of the question, one aims to vindicate the course of his native Georgia; the other to gain some advantage for the Democratic party of the nation. Mr. Stephens has the mind of a metaphysician, led astray sometimes in his logic and sometimes in his facts, but aiming always to promote the interest of the State to which he is devoted. Mr. Hendricks is an accomplished political

leader, with large experience, possessed of tact and address, and instinctively viewing every public question from its relation to the fate and fortune of his party. Mr. Stephens argues from the standpoint of Georgia; Mr. Hendricks has in view the Democracy of the nation.

These Democratic leaders unite in upholding the suffrage of the negro under existing circumstances, but each with an obvious feeling that some contradiction is to be reconciled, some record to be amended, some consistency to be vindicated. They all unite, however, on the common ground of denouncing the men who controlled the negro vote at the outset in the interest of the Republican party; and the underlying conclusion, not expressed but implied, is that if the military force had been absent and the persuasion of the Freedmen's Bureau had not been applied, the negroes would have flocked, as doves to their windows, to the outstretched and protecting arms of the Democratic party. This seems to me to be sheer recklessness of assumption; the very bravado of argument. Why should the negro have been disposed to vote with the Democratic party? Mr. Hendricks says he was made to feel that "he owed servitude to a party through the agency of United States officials and the Freedmen's Bureau." But can Mr. Hendricks give any possible reason why the negro should have voted with the Democratic party at that time? Does not the record of Mr. Hendricks himself, as the leader of the Democratic party in the Senate, show the most conclusive reasons why the negro should have voted with the Republicans?

Mr. Hendricks argued and voted in the Senate against emancipating the negro from helpless slavery; when made free, Mr. Hendricks argued and voted against making him a citizen; citizenship conferred, Mr. Hendricks argued and voted against bestowing suffrage; and he argued and voted against conferring upon the negro the most ordinary civil rights, even inveighing in the Senate against giving to colored men who were eligible to seats in Congress the simple privilege of a seat in the horse cars of Washington in common with white men. Conceding to the negro the ordinary instincts and prejudices of human nature, it must have required the combined and energetic action of the United States Army, the Federal officers, and the Freedmen's Bureau, to hold him back from his impulsive and irrepressible desire to vote with Mr. Hendricks and the Democratic party!

I do not use this argumentum ad hominem in any personal or offensive sense toward Mr. Hendricks. His position was not different from his associates and his followers in the Democratic party on all the questions where I have referred to his votes and his speeches. Mr. Lamar occupied the same ground, practically, and so did Mr. Stephens and Governor Hampton. Indeed, the entire Democratic party opposed legislation for the amelioration of the negro's condition at every step, and opposed it not with the mere registry of negative votes, but with an energetic hostility that too often assumed the phase of anger and acrimony. Emancipation from slavery, grant of citizenship and civil rights, conferring of suffrage, were all carried for the negro by the Republicans against a protesting and resisting Democracy. Democratic Senators and Representatives in Congress fought all these measures with unflagging zeal. In State legislatures, on the stump, in the partisan press, through all the agencies that influence and direct public opinion, the Democrats showed implacable hostility to each and every step that was taken toward elevating the negro to a better condition. So that it was inevitable that the negro who had sense enough to feel that he was free, who had perception enough to know that he was a citizen, who had pride enough to realize that he was a voter, felt and knew and realized that these great enfranchisements had been conferred upon him by the persistent energy of the Republican party, and in spite of the efforts of an embittered and united Democracy. Is further statement necessary to explain why the negro should have cast his vote for the Republican party when a free ballot was in his hands? It can be readily understood why he may now cast a vote for the

Democratic party when he is no longer allowed freedom of choice, when he is no longer master of his own ballot.

It must be borne in mind that the Republicans were urged and hastened to measures of amelioration for the negro by very dangerous developments in the Southern States looking to his reenslavement, in fact, if not in form. The year that followed the accession of Andrew Johnson to the Presidency was full of anxiety and of warning to all the lovers of justice, to all who hoped for "a more perfect Union" of the States. In nearly every one of the Confederate States the white inhabitants assumed that they were to be restored to the Union with their State governments precisely as they were when they seceded in 1861, and that the organic change created by the thirteenth amendment might be practically set aside by State legislation. In this belief they exhibited their policy toward the negro. Considering all the circumstances, it would be hard to find in history a more causeless and cruel oppression of a whole race than was embodied in the legislation of those revived and unreconstructed State governments. Their membership was composed wholly of the "ruling class," as they termed it, and in no small degree of Confederate officers below the rank of brigadier-general, who sat in the legislature in the very uniforms which had distinguished them as enemies of the Union upon the battlefield. Limited space forbids my transcribing the black code wherewith they loaded their statute books. In Mr. Lamar's State the negroes were forbidden, under very severe penalties, "to keep firearms of any kind;" they were apprenticed, if minors, to labor, preference being given by the statute to their "former owners." Grown men and women were compelled to let their labor by contract, the decision of whose terms was wholly in the hands of the whites; and those who failed to contract were to be seized as "vagrants," heavily fined, and their labor sold by the sheriff at public outcry to the highest bidder. The terms "master" and "mistress" continually recur in the statutes, and the slavery that was thus instituted was a far more degrading, merciless, and mercenary type than that which was blotted out by the thirteenth amendment.

South Carolina, whose moderation and justice are so highly praised by Governor Hampton, enacted a code still more cruel than that I have quoted from Mississippi. Firearms were forbidden to the negro, and any violation of the statute was punished by "a fine equal to twice the value of the weapon so unlawfully kept," and "if that be not immediately paid, by corporeal punishment." It was further provided that "no person of color shall pursue or practice the art, trade, or business of an artisan, mechanic, or shopkeeper, or any other trade or employment (besides that of husbandry or that of a servant under contract for labor), until he shall have obtained a license from the judge of the district court, which license shall be good for one year only." If the license was granted to the negro to be a shopkeeper or peddler he was compelled to pay \$100 per annum for it, and if he pursued the rudest mechanical calling he could do so only by the payment of a license fee of \$10 per annum. No such fees were exacted of the whites, and no such fee of free blacks during the era of slavery. The negro was thus hedged in on all sides; he was down, and he was to be kept down, and the chivalric race that denied him a fair and honest competition in the humblest mechanical pursuits were loud in their assertions of his inferiority and his incompetency.

But it was reserved for Louisiana to outdo both South Carolina and Mississippi in this horrible legislation. In that State all agricultural laborers were compelled to make labor contracts during the first ten days of January for the next year. The contract once made, the laborer was not to be allowed to leave his place of employment during the year except upon conditions not likely to happen and easily prevented. The master was allowed to make deductions of the servants' wages for "injuries done to animals and agricultural implements committed to his care," thus making the negroes responsible for wear and tear. Deductions were to be made for "bad or negligent

work," the master being the judge. For every act of "disobedience" a fine of \$1 was imposed on the offender, disobedience being a technical term made to include, besides "neglect of duty" and "leaving home without permission," such fearful offenses as "impudence," or "swearing," or "indecent language in the presence of the employer, his family, or agent," or "quarrelling or fighting with one another." The master or his agent might assail every ear with profaneness aimed at the negro men, and outrage every sentiment of decency in the foul language addressed to the negro women; but if one of the helpless creatures, goaded to resistance and crazed under tyranny, should answer back with impudence, or should relieve his mind with an oath, or retort indecency upon indecency, he did so at the cost to himself of \$1 for every outburst. The "agent" referred to in the statute is the well-known overseer of the cotton region, and the care with which the lawmakers of Louisiana provided that his delicate ears and sensitive nerves should not be offended with an oath or an indecent word from a negro will be appreciated by all who have heard the crack of the whip on a southern plantation.

It is impossible to quote all the hideous provisions of these statutes, under whose operation the negro would have relapsed gradually and surely into actual and admitted slavery. Kindred legislation was attempted in a large majority of the Confederate States, and it is not uncharitable or illogical to assume that the ultimate reenslavement of the race was the fixed design of those who framed the laws and of those who attempted to enforce them.

I am not speculating as to what would have been done or might have been done in the Southern States if the National Government had not intervened. I have quoted what actually was done by legislatures under the control of southern Democrats, and I am only recalling history when I say that those outrages against human nature were upheld by the Democratic party of the country. All the Democrats whose articles I am reviewing were in various degrees, active or passive, principal or indorser, parties to this legislation; and the fixed determination of the Republican party to thwart it and destroy it called down upon its head all the anathemas of Democratic wrath. But it was just at that point in our history when the Republican party was compelled to decide whether the emancipated slave should be protected by national power or handed over to his late master to be dealt with in the spirit of the enactments I have quoted.

To restore the Union on a safe foundation, to reestablish law and promote order, to insure justice and equal rights to all, the Republican party was forced to its reconstruction policy. To hesitate in its adoption was to invite and confirm the statutes of wrong and cruelty to which I have referred. The first step taken was to submit the fourteenth amendment, giving citizenship and civil rights to the negro and forbidding that he be counted in the basis of representation unless he should be reckoned among the voters. The Southern States could have been readily readmitted to all their powers and privileges in the Union by accepting the fourteenth amendment, and negro suffrage would not have been forced upon them. The gradual and conservative method of training the negroes for franchise, as suggested and approved by Governor Hampton, had many advocates among Republicans in the North; and, though in my judgment it would have proved delusive and impracticable, it was quite within the power of the South to secure its adoption or at least its trial.

But the States lately in insurrection rejected the fourteenth amendment with apparent scorn and defiance. In the legislatures of Louisiana, Mississippi, and Florida it did not receive a single vote; in South Carolina, only one vote; in Virginia, only one; in Texas, five votes; in Arkansas, two votes; in Alabama, ten; in North Carolina, eleven, and in Georgia, where Mr. Stephens boasts that they gave the negro suffrage in advance of the fifteenth amendment, only two votes could be found in favor of making the negro even a citizen. It would have been more candid in Mr. Stephens if he had stated

that it was the legislature assembled under the reconstruction act that gave suffrage to the negro in Georgia, and that the unreconstructed legislature, which had his indorsement and sympathies and which elected him to the United States Senate, not only refused suffrage to the negro, but loaded him with grievous disabilities and passed a criminal code of barbarous severity for his punishment.

It is necessary to a clear apprehension of the needful facts in this discussion to remember events in the proper order of time. The fourteenth amendment was submitted to the States June 13, 1866. In the autumn of that year, or very early in 1867, the legislatures of all the insurrectionary States except Tennessee had rejected it. Thus and then the question was forced upon us, whether the Congress of the United States, composed wholly of men who had been loyal to the Government, or the legislatures of the rebel States, composed wholly of men who had been disloyal to the Government, should determine the basis on which their relations to the Union should be resumed. In such a crisis the Republican party could not hesitate; to halt, indeed, would have been an abandonment of the principles on which the war had been fought; to surrender to the rebel legislatures would have been cowardly desertion of its loyal friends and a base betrayal of the Union cause.

And thus, in March, 1867, after and because of the rejection of the fourteenth amendment by southern legislatures, Congress passed the reconstruction act. This was the origin of negro suffrage. The southern whites knowingly and willfully brought it upon themselves. The reconstruction act would never have been demanded had the Southern States accepted the fourteenth amendment in good faith. But that amendment contained so many provisions demanded by considerations of great national policy that its adoption became an absolute necessity. Those who controlled the Federal Government would have been recreant to their plainest duty had they permitted the power of these States to be wielded by disloyal hands against the measures deemed essential to the security of the Union. To have destroyed the rebellion on the battlefield and then permit it to seize the power of eleven States and cry check on all changes in the organic law necessary to prevent future rebellions would have been a weak and wicked conclusion to the grandest contest ever waged for human rights and for constitutional liberty.

Negro suffrage being thus made a necessity by the obduracy of those who were in control of the South, it became a subsequent necessity to adopt the fifteenth amendment. Nothing could have been more despicable than to use the negroes to secure the adoption of the fourteenth amendment and then leave them exposed to the hazard of losing suffrage whenever those who had attempted to reenslave them should regain political power in their States. Hence the fifteenth amendment, which never pretended to guarantee universal suffrage, but simply forbade that any man should lose his vote because he had once been a slave, or because his face might be black, or because his remote ancestors came from Africa.

It is matter of sincere congratulation that after all the contests of the past thirteen years four eminent leaders of the Democratic party should unite in approving negro suffrage. It will not, I trust, be considered cynical, certainly not offensive, if I venture to suggest that this Democratic harmony on the Republican side of a long contest has been developed just at the time when many causes have conspired to render negro suffrage in the South powerless against the Democratic party. Even in districts where the negro vote is four to one, compared with the whites, the Democrats readily elect the Representatives to Congress. I do not recall any warm approval of negro suffrage by a Democratic leader so long as the negro was able to elect one of his own race or a white Republican. But when his numbers have been overborne by violence, when his white friends have been driven into exile, when murder has been just frequent enough to intimidate the voting majority, and when negro suffrage as a political power has been destroyed, we find leading

minds in the Democratic party applauding and upholding it. So lately as February 19, 1872, years after negro suffrage was adopted and while it was still a power in the Southern States, such influential and prominent Democrats as Mr. Bayard, of Delaware, and Mr. Beck, of Kentucky, united in an official report to Congress, wherein they declared, regarding negro suffrage, that "there can be no permanent partition of power nor any peaceable joint exercise of power among such discordant bodies of men. One or the other must have all or none. * * * Pseudo-philanthropists," continued Mr. Bayard and Mr. Beck, "may talk never so loudly about 'equality before the law,' where equality is not found in the great natural law of race ordained by the Creator." Mr. Beck and Mr. Bayard made this report when fresh from protracted intercourse with southern Democratic leaders, and it will not be denied that in their expressions they fully represented the opinions of their party at that time. Will it be offensive if I again ask what has changed the views of Democrats except the overthrow of free suffrage? So long as the negro can furnish thirty-five Representatives and thirty-five electors to the South, his suffrage will be upheld in name, and so long as the Democratic party is dominant it will be destroyed in fact.

Mr. Hendricks is a conspicuous convert. The negro is washed and made white in his eyes as soon as he votes the Democratic ticket. He is greatly affected by the fact that negroes "helped to bury a Democratic Congressman whom they had helped to elect." In this simple incident Mr. Hendricks finds great evidence of restored kindness between the races. Was there ever a time when the colored people refused to show respect to the whites, living or dead? The evidence would have been stronger if an instance had been quoted of white men paying respect to a deceased negro. But, unhappily, if funeral incidents are to be cited, Mr. Hendricks will find more than he cares to quote. Almost at the moment of his writing testimony was given before a Senate committee in Louisiana not only of the murder of two negroes for the sin of being Republicans, but of their being left without sepulture and actually devoured by hogs on the highway! Their remains—the phrase is doubly significant in this case—were finally covered with earth by some negro women, the negro men having all fled from their white persecutors.

Mr. Hendricks's high praise of the governments of South Carolina and Louisiana, since they fell under Democratic control, is not justified by the facts. Where he speaks of Republicans connected with the government of South Carolina "meeting their punishment in prison and seeking their safety in flight," he provokes an easy retort. One of these men, an ex-Congressman, was sent to prison on disgracefully insufficient evidence, the judge delivering a bitter partisan harangue when he charged the jury to convict. Governor Hampton, to his credit be it said, pardoned him, and it would have been still more to his credit had he pardoned him more promptly. In another case the executive of a great Commonwealth refused Governor Hampton's requisition on the ground that the man was not wanted for the cause and the crime alleged. These criminal charges have, in many cases, borne the appearance of mere political persecutions, in which the victims are not the persons most dishonored.

On the other hand, when South Carolinians by the hundred were indicted for interfering with the freedom of elections in killing negroes by the score, it was found impossible to convict one of them. Against the clearest and most overwhelming evidence these murderers were allowed to go free, and the prosecutions were abandoned. South Carolina courts appear to be "organized to convict" when a Republican is on trial, and South Carolina juries impeded to acquit when Democrats are charged with crime.

In the opinion of Mr. Hendricks, Louisiana under Republican control was the very worst of all the southern governments. A change was made in April, 1877, and since then the Democratic party has held undisputed power in that State. When the Republicans surrendered the State there was a surplus of

\$300,000 in its treasury; taxes were collected, credit maintained, and interest on its public securities promptly and faithfully paid. To-day, after twenty-one months of Democratic government, according to public and undenied report, the State is bankrupt, its taxes uncollected, its treasury empty, nearly half a million overdrawn on its fiscal agent, the interest on its public debt unpaid, and its most sacred obligations protested and dishonored. Had such decadence happened in a State under Republican rule, succeeding a prosperous Democratic administration, the denunciations of Mr. Hendricks might have been fittingly applied.

My conclusions on the topic under discussion are:

First. Slavery having been constitutionally abolished by the adoption of the thirteenth amendment, the question of suffrage was unsettled. But it may be safely affirmed that the Republicans had no original design of interfering with the control which the States had always exercised on that question.

Second. The loyal men who had conducted the war to a victorious end were not willing that those who had rebelled against the Union should come back with political power vastly increased beyond that which they had wielded in the days of proslavery domination, and hence they proposed the fourteenth amendment, practically basing representation in Congress upon the voting population—the same for North and South.

Third. Instead of accepting the fourteenth amendment, the insurrectionary States scornfully rejected it, and claimed the right to settle for themselves the terms on which they would resume relations with the Union. And they forthwith proceeded to nullify the thirteenth amendment by adopting a series of black laws which remanded the negro to a worse servitude than that from which he had been emancipated.

Fourth. When the Government, administered by loyal hands, found it impossible to secure the necessary guaranties for future safety from the "ruling" or rebel class of the South, they demanded and enforced a reconstruction in which loyalty should assert its rights. Hence the negro was admitted to suffrage.

Fifth. The negro having aided by loyal votes in securing the great guaranties of the fourteenth amendment, the Republicans declared that he should not afterwards be deprived of suffrage on account of race or color. Hence the fifteenth amendment.

Sixth. So long as the negro vote was effective in the South in defeating the Democracy, the leaders of that party denounced and opposed it. They withdrew their opposition just at the moment when, by fraud, intimidation, violence, and murder, free suffrage on the part of the negro in the South is fatally impaired; by which I mean that the negro is not allowed to vote freely where his vote can defeat and elect. As a minority voter in Democratic districts he is not disturbed.

Seventh. The answer so often made, that, compared with the whole number of Congressional districts in the South, only a small number are disturbed, is not apposite and does not convey the truth. For it is only in the districts where the negroes make a strong and united effort that violence is needed, and there it is generally found. Thus it is said that only in a comparatively few parishes of Louisiana was there any disturbance at the late election. But the Democrats contrived to have a disturbance at the points where it was necessary to overcome a large Republican vote, and of course had none where there was no resistance. It will generally be found that the violence occurs in the districts where the Republicans have a rightful majority.

Eighth. As the matter stands, all violence in the South inures to the benefit of one political party; and that party is counting upon its accession to power and its rule over the country for a series of years by reason of the great number of electoral votes which it wrongfully gains. Financial credit, commercial enterprises, manufacturing industries, may all possibly pass

under the control of the Democratic party by reason of its unlawful seizure of political power in the South. Our institutions have been tried by the fiery test of war and have survived. It remains to be seen whether the attempt to govern the country by the power of a "Solid South," unlawfully consolidated, can be successful.

No thoughtful man can consider these questions without deep concern. The mighty power of a Republic of 50,000,000 people—with a continent for their possession—can only be wielded permanently by being wielded honestly. In a fair and generous struggle for partisan power let us not forget those issues and those ends which are above party. Organized wrong will ultimately be met by organized resistance. The sensitive and dangerous point is in the casting and the counting of free ballots. Impartial suffrage is our theory. It must become our practice. Any party of American citizens can bear to be defeated. No party of American citizens will bear to be defrauded. The men who are interested in a dishonest count are units. The men who are interested in an honest count are millions. I wish to speak for the millions of all political parties, and in their name to declare that the Republic must be strong enough, and shall be strong enough, to protect the weakest of its citizens in all their rights. To this simple and sublime principle let us, in the lofty language of Burke, "attest the retiring generations, let us attest the advancing generations, between which, as a link in the great chain of eternal order, we stand!"

JAMES G. BLAINE.

XIII.

SECTION 1. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States or any place subject to their jurisdiction.

SEC. 2. Congress shall have power to enforce this article by appropriate legislation.

XIV.

SECTION 1. All persons born or naturalized in the United States are subject to the jurisdiction thereof, are citizens of the United States, and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws.

SEC. 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, Representatives in Congress, the executive and judicial officers of a State, or the members of the legislature thereof is denied to any of the male inhabitants of such State being 21 years of age and citizens of the United States, or in any way abridged except for participation in rebellion or other crime, the basis of representation therein shall be reduced to the proportion which the number of such male citizens shall bear to the whole number of male citizens 21 years of age in such State.

* * * * *

SEC. 5. The Congress shall have power to enforce by appropriate legislation the provisions of this article.

XV.

SECTION 1. The right of the citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

SEC. 2. The Congress shall have power to enforce this article by appropriate legislation.